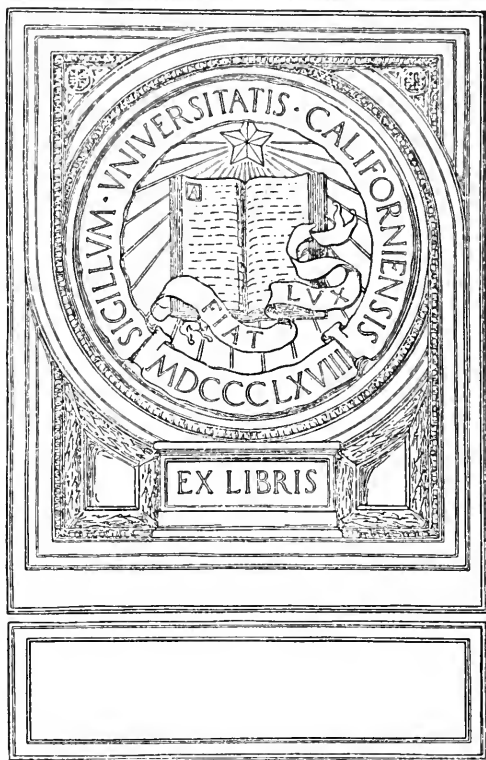


UNIVERSITY OF CALIFORNIA
AT LOS ANGELES



105.
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E. h.

CHARTER

AND

ORDINANCES

OF THE

CITY OF NEW HAVEN, CONN.



AND

SPECIAL ACTS

Revised to August 1, 1905

NEW HAVEN, CONN.:
RYDER'S PRINTING HOUSE.
1905.

JUN 17 1910

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ORDERED, that the Corporation Counsel be and is hereby authorized and instructed to cause to be prepared a revision of the Charter and the Ordinances of the City of New Haven, including all amendments to said Charter that may be adopted at the present session of the General Assembly, at a price not to exceed \$800.00.

Board of Aldermen, January 19, 1903.

Read for first time and ordered printed in the Journal.

JAMES B. MARTIN, Assistant City Clerk.

Board of Aldermen, February 2, 1903.

Read for second time, accepted and order passed.

JAMES B. MARTIN, Assistant City Clerk.

City of New Haven.

Approved, February 9, 1903.

JOHN P. STUDLEY, Mayor.

1938
STATE OF CONNECTICUT, {
COUNTY OF NEW HAVEN, } ss.

I, Edward A. Street, Clerk of the City of New Haven, in said County of New Haven, and keeper of the records and seal thereof, hereby certify that the within and foregoing instrument is a true and correct copy of Record, as appears on the Records of said City, in Volume 48, on page 26.

In Testimony Whereof, I have hereunto set my hand and affixed the seal of said City, at New Haven, this 22d day of August, A. D. 1905.

EDWARD A. STREET, City Clerk.



AN ACT

REVISING THE

CHARTER OF THE CITY OF NEW HAVEN,

APPROVED JUNE 20, 1899.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

SECTION 1. The territorial limits of the corporation of the city of New Haven shall hereafter be the same as those that were the territorial limits of the town of New Haven prior to December 7, 1897, and the boundaries of the said town shall hereafter be the boundaries of said city.

The jurisdiction of said city of New Haven over that portion of the town of Orange, and that portion of the town of New Haven east of the boundary line between the town and the city of New Haven as it existed prior to December 7, 1897, between the town and city of New Haven, shall be for police and sanitary purposes only.

SEC. 2. All electors of this state, dwelling within said limits, are hereby declared to be, and shall forever continue to be, a body politic and corporate, in fact and name, by the name of the City of New Haven, and by that name they and their successors shall have perpetual succession, and shall be a person in law, capable of suing and being sued, pleading and being impleaded, in all suits of what nature soever, and also of purchasing, holding, and conveying any estate, real and personal; and may have a common seal, and may change and alter the same at pleasure; and shall be and remain absolutely vested with the title to and improvement of all the city lands, tenements, hereditaments, rights, and estates whatsoever, which, since the original incorporation of said city, have become vested in said city, and whereof said city has never been lawfully divested hitherto.

JUL 1 1899

Sec. 3. Said City is hereby divided into fifteen wards, as follows:

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of State and George streets, and thence continuing northerly through the center of State street to the center of Grove street, thence westerly through the center of Grove street to the center of York street, thence southerly through the center of York street to the center of George street, and thence easterly through the center of George street to the point of beginning, shall constitute the first ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of Chapel and York streets, and thence continuing westerly through the center of Chapel street to the city limit, thence following the city limit in a southerly direction to the center of Congress avenue, thence northeasterly through the center of Congress avenue to the center of Davenport avenue, thence northeasterly through the center of Davenport avenue to the center of York street, and thence northerly through the center of York street to the point of beginning, shall constitute the second ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of George and York streets, and thence continuing southerly through the center of York street to the center of Davenport avenue, thence southwesterly through the center of Davenport avenue to the center of Congress avenue, thence through the center of Congress avenue to the city limit, thence following the city limit in a southerly direction to the center of Washington street, thence northeasterly through the center of Washington street to the center of Congress avenue, thence northeasterly through the center of Congress avenue to the center of George street, and thence northwesterly through the center of George street to the point of beginning, shall constitute the third ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of Meadow street and Congress avenue, and thence continuing southwesterly through the center of Congress avenue to the center of Washington street, thence southwesterly through the center of Washington street to the city limit, thence southeasterly and northeasterly by the city limit to a point where said city limit is intersected by the central line of the Meadow street outlet sewer, continued in a

straight line, thence northwesterly by the said line of said sewer to the center of Union avenue, and thence northerly through the center of Meadow street to the point of beginning, shall constitute the fourth ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of Chapel and State streets, and thence continuing southwesterly through the center of State street to the point of intersection of the central lines of State and George streets, thence northwesterly through the center of George street to the point of intersection with the central line of Meadow street, thence southerly through the center of Meadow street to the center of Union avenue, thence southeasterly by the central line of the Meadow street sewer, continued in a straight line to the city limit, thence northeasterly by the city limit to Tomlinson's bridge, thence easterly and northerly through the center of the channel of Mill river to a point on the Chapel street bridge in the central line of Chapel street, and thence westerly through the center of said Chapel street bridge and Chapel street to the point of beginning, shall constitute the fifth ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of Chapel and State streets, and thence continuing easterly through the center of Chapel street and Chapel street bridge to the center of the westerly channel of Mill river, thence northerly through the center of said channel of said river to a point on Barnesville bridge in a central line of Grand avenue, thence westerly through the center of Barnesville bridge and Grand avenue to the center of State street, and thence southwesterly through the center of State street to the point of beginning, shall constitute the sixth ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of State street and Grand avenue, and thence continuing easterly through the center of Grand avenue and Barnesville bridge to the center of the westerly channel of Mill river, thence northerly through the center of said channel of Mill river to a point on Neck bridge in the central line of State street, and thence westerly and southwesterly through the center of Neck bridge and State street to the point of beginning, shall constitute the seventh ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of Grove

and State streets, and thence continuing northeasterly and easterly through the center of State street to the channel of Mill river, thence northerly, following the center of the channel of Mill river, to the city limit, thence southwesterly by the city limit to the center of Whitney avenue, thence southwesterly through the center of Whitney avenue to the point of intersection of the central lines of Whitney avenue and Temple street, thence southwesterly through the center of Temple street to the center of Grove street, and thence southeasterly through the center of Grove street to the point of beginning, shall constitute the eighth ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of Grove and Temple streets, and thence continuing northeasterly through the center of Temple street to the point of intersection of the central lines of Temple street and Whitney avenue, thence northeasterly through the center of Whitney avenue to the city limit, thence westerly, southerly, and westerly by the city limit to the center of Crescent street, thence southerly through the center of Crescent street to the center of Goffe street, thence southeasterly through the center of Goffe street to the point of intersection of the central lines of Goffe street and Broadway, thence southeasterly through the center of Broadway to the center of York street, thence northerly through the center of York street to the center of Grove street, and thence easterly through the center of Grove street to the point of beginning, shall constitute the ninth ward.

So much of said city as is included within a boundary line commencing at the point of intersection of the central lines of York street and Broadway, and thence continuing northwesterly through the center of Broadway to the point of intersection of the central lines of Broadway and Goffe street, thence northwesterly through the center of Goffe street to the center of Crescent street, thence northerly through the center of Crescent street to the city limit, thence westerly and southerly by the city limit to the center of Chapel street, thence easterly through the center of Chapel street to the center of York street, and thence northerly through the center of York street to the point of beginning, shall constitute the tenth ward.

So much of said city as is included within a boundary line commencing at a point on Barnesville bridge, coincident with the intersection of the central line of Grand avenue, and the central line of

the westerly channel of Mill river, and thence continuing southerly through the center of the westerly channel of Mill river to its junction with the main channel of said river, thence southerly through the center of the main channel of said river to its junction with the Quinnipiac river, thence easterly and northerly through the center of Quinnipiac river to a point in the central line of Grand avenue, and thence westerly through the center of Grand avenue to the point of beginning, shall constitute the eleventh ward.

So much of said city as is included within a boundary line commencing at a point on Barnesville bridge at the intersection of the central line of Grand avenue and the central line of the westerly channel of Mill river, and thence continuing easterly through the center of said bridge and the center of Grand avenue to the former city limits in Quinnipiac river, thence northerly and northwesterly by the former city limit to the center of the channel of Mill river, thence southerly, following the center of said channel to the point where said river is divided into two channels, and thence through the center of west channel to the point of beginning, shall constitute the twelfth ward.

So much of said city as lies northerly and westerly of a line beginning at a point on the dividing line between the towns of New Haven and Hamden, six hundred feet westerly of the center line of Dixwell avenue, and thence running southerly, parallel to and six hundred feet westerly of the center line of that part of Dixwell avenue which is northerly of Argyle street, to a point on said line two hundred feet northerly of the center line of Munson street, thence westerly, parallel to and two hundred feet northerly of the center line of Munson street, to the center line of Crescent street, thence westerly in a straight line to the northerly side of Whalley avenue bridge over West river at the middle of West river, and thence southerly along the middle line of the new channel of said river to the center line of the Derby avenue bridge over said river, shall constitute the thirteenth ward.

So much of said city as lies east of the Quinnipiac river and north of a line commencing at a point near the center of Meadow street, where said street joins the Quinnipiac bridge, thence running easterly through the center of said street to a point where it intersects South Quinnipiac street, thence in a line running due east to the center of the Shore Line railway, thence easterly in a

line following the center line of said railway to a point where it intersects the dividing line between the town of East Haven and the city of New Haven, shall constitute the fourteenth ward of said city.

So much of said city within the limits of said town as lies easterly of the Quinnipiac river and south of said easterly and westerly line shall constitute the fifteenth ward of said city.

ELECTIONS.

SEC. 4. Every elector of this state, having qualifications and complying with the requirements prescribed by law entitling him to vote at any city meeting in said city for the election of officers thereof, shall be a freeman of said city.

The court of common council of said city may, by ordinance passed and published as provided in this act, divide each or any ward of the city of New Haven into two or more voting districts; and all the provisions of law now existing, or which may hereafter be enacted, regulating the holding of elections in the other voting districts of said city, shall apply to said new voting districts when so established.

All elections hereafter held within the city and town of New Haven shall be held pursuant to the provisions of the general election laws of the state.

SEC. 5. At the several elections held within the city and town of New Haven for the choice of city officers, those only shall vote who are registered on the corrected list of voters last before completed, including those added on the day of the last state election.

SEC. 6. On the first Monday of October, 1907, and on the first Monday of October in every second year thereafter, the freemen of said city shall elect by ballot from among their number, as prescribed by law, a mayor, controller, treasurer, clerk, collector, city sheriff, and six aldermen at large, who shall hold their respective offices for the term of two years from and after the first week day of January next succeeding their election. No person shall vote for more than four aldermen at large at any election.—As amended by act approved July 6, 1905. (See Section 3, appendix page 124.)

SEC. 7. In each of the wards of said city which bears an odd number the freemen thereof shall, on the Tuesday after the first

Monday of November, 1906, elect by ballot as prescribed by law, one alderman who shall hold office for the term of one year from and after the first week day of January next succeeding his election. In each of the wards of said city the freemen thereof shall, on the first Monday of October, 1907, and on the first Monday of October in each second year thereafter, elect by ballot as prescribed by law one alderman who shall hold office for the term of two years from and after the first week day of January next succeeding his election.—As amended by act approved July 6, 1905. (See Section 3, appendix page 124.)

SEC. 8. In each of the wards of said city the freemen thereof shall, on the third Tuesday of April, 1900, and on the third Tuesday of April in each year thereafter, elect by ballot, as prescribed by law, three councilmen, who shall hold their offices for one year from and after the first week day in June next succeeding their election.—Repealed by act approved June 14, 1901.

SEC. 9. Each of said officers shall be elected by plurality vote; but, if by reason of an equality of votes, there shall be no choice of any of said officers, then the court of common council shall provide for the holding of a new election within thirty days from and after the time when such failure to elect shall be made known. In case of the death, resignation, removal, or incapacity of any officer of said city chosen by the electors, the court of common council shall order a special election within thirty days to fill the vacancy, and the mayor may temporarily fill such vacancy by appointment.

EXECUTIVE OFFICERS.

MAYOR.

SEC. 10. The mayor shall be the chief executive officer of the city, and shall be at least thirty years of age. He shall have been a legal voter and resident of the city for the five years immediately preceding his election, and shall reside in the city during his term of office. Whenever there shall be a vacancy in the office of mayor, or whenever the mayor shall be prevented by absence from the city, by illness, or by any other cause, from attending to the duties of his office, the president of the board of aldermen, and in his absence such president pro tempore as the board of aldermen may elect,

shall act as mayor until the mayor or such president of the board of aldermen, as the case may be, is again able to assume the duties of his office or until the vacancy shall be filled by election, and said acting mayor shall have all the rights, powers, and duties of said mayor, except the powers of appointment and removal, until the vacancy is filled or the mayor is again able to act.—As amended by act approved June 14, 1901.

SEC. 11. It shall be the duty of the mayor :

1. To cause the laws and ordinances to be executed and enforced, to inform the city attorney of all violations of law brought to his attention, and to conserve the peace within said city. He shall be responsible for the good order and efficient government of said city.

2. To fill by appointment vacancies in office in all cases in which he is given by law the power to appoint.

3. To communicate to the court of common council, during the month of July next succeeding his election, and quarterly, thereafter, a general statement of the condition of the city in relation to its government, finances, public improvements, and affairs, with such recommendations as he may deem proper.

4. To call special meetings of the court of common council when he may deem it expedient.

5. To sign all bonds and deeds and all written contracts of the city made either by the court of common council or any officer of the city in accordance with authority conferred upon them by this charter or the ordinances.

6. To call together, at least once in every month, for consultation and advice upon the affairs of the city, the superintendents of the department of fire service and police, the director of the department of public works, the president of the department of parks, the president of the board of education, the president of the department of charities and correction, the controller, the corporation counsel, the health officer, and such other executive and administrative officers as he may deem best ; and at such meetings he may call on any of said officers for such reports as to the matters under their management as he may deem proper.

7. To either approve or disapprove, in writing, every vote, resolution, order, or ordinance passed by the court of common council. If he approve it or fail to take action within ten days after the passage thereof, such vote, resolution, order, or ordinance shall become operative and effectual. In case the mayor shall fail to take action

upon any vote, resolution, order, or ordinance passed by the court of common council, within ten days after the passage thereof, the clerk shall endorse the fact upon the vote, resolution, order, or ordinance. If he disapprove it he shall notify the city clerk of that fact, and he shall transmit in writing his reasons for such disapproval to the body in which it originated at or before its next regular meeting, and such vote, resolution, order, or ordinance shall not become operative and effectual unless passed over his veto, by an affirmative vote of two-thirds of all the members of each board of the court of common council, present or absent. The mayor may also approve or disapprove any part of any vote, order, ordinance, or resolution, and the part of the vote, order, ordinance or resolution approved shall become operative and effectual, and the part disapproved shall be void, unless passed over his veto in the manner aforesaid.

SEC. 12. The mayor shall have power:

1. To assume the entire control and direction of the police and fire forces of the city, or either of them, for a period not exceeding five days, at his discretion in case of emergency, and to exercise all of the powers conferred upon the fire and police departments in relation thereto.

2. To exercise, whenever necessary in order to suppress tumults, riots, or unlawful assemblies, within the limits of said city, all the powers given by law to sheriffs in relation to riotous assemblages; and, at all times, when necessary, to require the aid of any sheriff, deputy sheriff, constable, or policeman, or any or all of them together, to assist him in executing the laws within the limits of said city.

3. To make requisition for the several companies of the Connecticut national guard and divisions of naval reserve in said city, or any of them, whenever he shall have reason to believe that great opposition will be made to the exercise of his authority, and to exert all the force necessary to enable him to execute the laws within the limits of said city.

4. To appoint, whenever he may deem it best to do so, three competent, disinterested persons, no more than two of whom shall be of the same political party, to examine without notice the affairs of any department, officer, or employe of said city, and submit the results of said examination to him.

5. The mayor may at any time whenever he may believe any person appointed to office by him or any of his predecessors to be

incompetent, or unfaithful to the duties of his office, or that the requirements of the public service demand his removal, summon said officer before him at a place and time specified in said summons, to show cause why he should not be removed from said office. With said summons he shall leave with said officer a written statement of the charges against him, and if, after a full hearing, he shall find that such officer is incompetent or unfaithful, or that the requirements of the public service demand his removal, he may remove such person from his office. Any such official so removed may appeal from the order of the mayor removing him from said office to the superior court or any judge thereof, which appeal shall be made returnable not more than six nor less than three days from the date of the order of removal of said mayor, and shall be served upon the mayor or at his usual place of abode at least forty-eight hours before the time fixed for a hearing. And said court or judge, having given such further notice as may be deemed necessary to all parties, shall forthwith hear said case, and may approve or revoke the order of said mayor and may award costs at his discretion. But no such official so removed shall exercise any of the powers of his office during the pendency of his appeal to the superior court.

SEC. 13. If any person shall hinder, obstruct, resist, or abuse the mayor in the execution of his office, or when ordered to render assistance to the mayor (being of sufficient age and ability) shall refuse or neglect to do so, such offender, being thereof duly convicted, shall pay a fine not exceeding one hundred dollars, or shall be imprisoned in the county jail not exceeding six months, or both, at the discretion of the court having cognizance of the offense.

SEC. 14. Every commissioned officer and soldier, when called into service by the mayor, as aforesaid, shall have the same pay, and in case of disobedience be subject to the same penalties, as if called into service by the sheriff of the county.

CORPORATION COUNSEL.

SEC. 15. There shall be in said city a corporation counsel, who at the time of his appointment shall have been an attorney and counselor-at-law of this state for not less than ten years, and a resident of said city as at present defined for not less than five

years, immediately preceding his appointment, and shall reside in said city during his term of office. The corporation counsel holding office when this act takes effect shall be and remain corporation counsel during the term for which he was appointed, unless sooner removed for cause in accordance with the provisions of this act. In the month of January, 1908, the mayor shall and in every second June thereafter the mayor may appoint such corporation counsel, to serve for two years from the first day of February next after his appointment and until his successor is chosen and has duly qualified.—As amended by act approved July 6, 1905. (See Section 4, appendix page 124.)

SEC. 16. He shall be the legal adviser of the city and its departments, and it shall be his duty to represent said city in all civil actions in any court wherein said city is interested (except as otherwise provided), and to give his written opinion upon any legal question which may be submitted to him by the mayor, or by the court of common council, or the chairman of any committee of the court of common council upon any subject pending before said committee, or by any department, or by any public official with the written consent of the mayor. All opinions so given by him shall be recorded in an indexed book, which book shall be kept in the office of the corporation counsel and shall be the property of the city, and such opinions as the mayor shall direct shall be published in the year book issued next after such opinions are given. He shall, when so directed by the mayor or court of common council, represent the city in all matters pending before the general assembly affecting the interests of said city, and he shall perform all other legal services which may be required of him by the court of common council or by law or ordinance. He shall annually, on or before the fifteenth day of February, make a written report to the mayor of his doings for the fiscal year next preceding, showing the condition of all unfinished business in his hands, and give, between the fifteenth day of February and the first day of June next succeeding, to the mayor all further additional information that he may desire in regard to the condition of his department.

SEC. 17. The corporation counsel may have an office, to be provided by the city, which shall be kept open during such hours daily as may be by ordinance prescribed. The mayor may, if in his opinion the interests of the city require it, employ additional

counsel, except with reference to matters pending before the general assembly.

SEC. 18. During the month of January, 1908, and biennially, thereafter, the mayor shall appoint an assistant corporation counsel to hold office during the term for which said mayor shall have been elected and until the successor of such assistant corporation counsel shall be appointed and duly qualified, who shall perform such services as directed by the corporation counsel, and shall attend to the collection of unpaid taxes, liens, and other indebtedness due the city.—As amended by act approved July 6, 1905.

CONTROLLER.

SEC. 19. There shall be a city controller, elected as hereinbefore provided, who shall, under the charter and ordinances, be subject to the general direction of the board of finance in all matters relating to the financial affairs of the city, except as herein otherwise expressly provided.

SEC. 20. He shall keep, in books provided for that purpose, accounts with each of the city departments, with such of the city officers as may be designated by the board of finance, and such other accounts as the city ordinances or said board of finance may direct.

SEC. 21. He shall prescribe the form of all accounts and of all reports to be rendered, and shall have the inspection and supervision of the accounts of all other departments and officers, and provide all books, stationery, and office supplies necessary for their use.

SEC. 22. He shall audit immediately after the first day of each month the accounts of the several departments and all of said officers who receive, pay out, or dispose of the money or other property of the city; shall make proper comparisons of the same, and report his findings to the mayor, and a duplicate thereof to the treasurer; he shall daily audit the cash account of the treasurer for the last previous day, and certify at the foot of said account as to its correctness, and shall submit to the mayor on or before the twentieth day of January, the twentieth day of April, the twentieth day of July, and the twentieth day of October in each year, a report of the condition of each of said accounts, together with a summary of all accounts of the city, verified by his oath or affirma-

tion, exhibiting the revenues, receipts, and expenditures, the source from which the revenues and funds are derived, and in what manner the same have been disbursed, and the amount drawn against each item of the appropriations, and the mayor shall cause said reports to be submitted to both boards of the common council and the board of finance.

SEC. 23. He shall keep a separate account for each specific item of the appropriations, and shall require all warrants to state specifically against which of said items the warrant is drawn. Each account shall be accompanied by a detailed statement, in a separate column, of the unpaid contracts and outstanding orders charged against it.

SEC. 24. He shall not suffer any appropriation to be overdrawn, or the appropriation for one item of expense to be drawn upon for any other purpose, or by any department other than that for which the appropriation was specially made, except in case of transfers made as hereinafter provided. No warrant shall be issued unless sufficient funds to pay the same shall actually be in the treasury. If he shall certify any bill, contract, or claim in excess of appropriation properly applicable thereto, the city shall not be liable for such excess, but he shall be personally liable therefor, and his sureties shall also be liable to the amount of his bond.

SEC. 25. Each claim or account against the city shall be first verified by the oath or affirmation of the claimant or his authorized agent, if required by the board of finance, then certified to be correct and justly due by the officer or board by whom, or under whose authority, the same was contracted. Such claim or account shall then be transmitted to the controller, who shall carefully examine and compute each bill rendered, and, on finding it correct, he shall so certify, and then lay it before the board of finance for approval, and no bill shall be paid until approved by a majority of said board of finance in writing. If any claimant is indebted to said city, the controller shall report such indebtedness to said board, together with the claim. When approved by said board, said controller shall number the several claims and enter them in books kept by him for that purpose; and when said claims are so numbered and entered the city clerk shall draw his order on the city treasurer for the several amounts due, and prepare and fill out receipts in accordance therewith, and shall place said orders in the hands of the controller, who shall countersign and disburse the

same when duly receipted for; *provided*, that for any sums for which the city becomes legally liable upon its bonds or notes, the city clerk may draw his order upon the treasurer, upon which, when countersigned by the mayor and controller, said sums shall be paid. When the identity of the claimant is doubtful, said claimant may be required to make oath or affirmation or furnish other evidence that he is the person, or the legal representative of the person, in whose favor the order is drawn. And the city clerk and the controller are hereby severally authorized to administer oaths or affirmations. The provisions of this section shall not apply to the department of education.

Nothing herein contained shall prohibit the controller and city clerk from drawing and delivering an order on the treasurer in payment of an execution issued by the clerk of any court to the person in whose favor any judgment may have been rendered by said court.

SEC. 26. The controller shall give bonds to the amount of twenty thousand dollars to the city of New Haven. He shall have an office in the city hall, and shall keep the same open during such hours as the board of finance may direct.

SEC. 27. The controller shall, at the end of each fiscal year, or oftener, if so required by the mayor, and also upon the death, resignation, removal, or the expiration of the term of any officer, audit or cause to be audited, examine, and settle the accounts of such officer, and if he shall be found indebted to the city, the controller shall state an account and file the same with the corporation counsel, together with a copy of the official bond of such officer, if any, and give notice thereof to him or his legal representatives; and the corporation counsel shall proceed to collect such balance from such officer or his sureties within six months from the receipt of such account. Notice of the audit shall be given by the controller to the officer or his legal representatives before the final statement of the account, and, if desired by such officer or his legal representatives, opportunity shall be given for a hearing. A copy of such notice, with an affidavit to the fact of service thereof, shall be filed, with the statement of account, as evidence of service of notice.

TREASURER.

SEC. 28. There shall be a treasurer who shall be elected as hereinbefore provided, who shall have the same power and authority as town treasurers and shall be accountable to said city. He shall have an office in the city hall, which shall be kept open during such hours as may be by ordinance prescribed. He shall give bonds in the amount of fifty thousand dollars. He shall be allowed such clerical expenses as may be approved by the board of finance, and all appointments of clerks in his office shall be made by said treasurer without reference to the civil service board.

SEC. 29. All city funds shall be deposited in such bank or banks as shall be designated by the board of finance, whose duty it shall be to obtain the highest rate of interest therefor consistent with the safety of the deposits. All interest upon said deposits shall belong to said city.

SEC. 30. The treasurer shall pay all orders drawn on him by the city clerk and countersigned by the controller, or drawn by the board of education in the order in which they shall be presented to him. The treasurer shall report to the board of finance, on the first of each month, the amount of money belonging to said city in his hands, and the sources from which it was received, and shall present to said board each month his accounts for the month next preceding, properly audited and certified by the controller.

COLLECTOR.

SEC. 31. There shall be in said city a collector, elected as hereinbefore provided, who shall also be the collector of taxes for the New Haven city school district. He shall have all the power and be subject to all of the duties imposed by law upon collectors of town, city, and school district taxes. He shall receive and collect all taxes, including poll and military taxes, from persons liable to pay the same, and all assessments of every kind made by said city, and all license fees payable to said city. All licenses issued by any city department or officer shall be presented to the collector, or his authorized agent, in the collector's office, who shall receive the fee prescribed therefor, and shall countersign each license before the same shall be of effect. He shall cause a record of each license so

countersigned to be kept in his office. The mayor shall have power to issue a warrant for the collection of any of said taxes or assessments. The collector shall have the same power to sign certificates of tax liens and certificates of their release and discharge which is by law given to the mayors of cities. The salary paid to the collector by the city shall be in lieu of all other compensation for services.

SEC. 32. It shall be the duty of the collector to report to the assistant corporation counsel, on the first Monday in September in each year, all taxes and assessments upon property and all poll and military taxes which have not been abated according to law and which have been due and unpaid for a period of one year; and it shall be the duty of the assistant corporation counsel to proceed forthwith to take all legal steps necessary to enforce the payment of said taxes and assessments. Whenever any tax due to said city is abated, the authority making the abatement shall cause notice thereof to be given forthwith to the collector.

SEC. 33. Said collector shall, before three o'clock in the afternoon of each business day, deposit with the treasurer of said city all moneys collected by him during the twenty-four hours then ended, and shall take the treasurer's receipt for the same in duplicate, one copy of which he shall file in the controller's office forthwith.

SEC. 34. Said collector shall give bonds in the amount of one hundred thousand dollars.

CITY CLERK.

SEC. 35. There shall be a city clerk elected as hereinbefore provided. He shall be clerk of the board of aldermen and of the board of finance, and shall record their doings. He shall send immediately after it takes effect, a copy of any ordinance, resolution, or order of the court of common council to each department or officer affected thereby. He shall perform such clerical services as may be required by the ordinances of the city. He shall publish all city ordinances by advertising in all daily newspapers published in said city such ordinances as soon as the same are enacted, together with notice that such ordinances have been passed, and shall record in full in the records of said city all ordinances so

enacted, and record the fact of such publication. He shall make upon the records of said city, entries of his own acts in serving and publishing notices of orders and ordinances passed by the court of common council. Said clerk shall devote his entire time to the service of the city, and shall have no other occupation during his term of office; and he shall keep his office open during such hours as the ordinances of the city shall direct. He shall give bonds in the amount of ten thousand dollars.

ASSISTANT CITY CLERK.

SEC. 36. The court of common council shall, during the month of January, 1907, and of each year thereafter, appoint an assistant city clerk, who, after having taken oath or affirmation provided by law for the clerk of said city, shall, in the absence or disability of said clerk, have power to perform all the duties of said clerk. All acts of said assistant clerk and all records kept by him shall have the same validity and effect as acts and records of the city clerk. The assistant clerk shall be clerk of and make true and regular entries of all votes and proceedings of the board of councilmen, and of each of the joint standing committees of the court of common council. He shall compile the city year book. He shall give bonds in the amount of five thousand dollars.

(The assistant city clerk of said city shall be clerk of the board of aldermen and make true and regular entries of all votes and proceedings of the said board of aldermen. Amendment to Charter approved June 14, 1901.) As amended by act approved July 6, 1905.

The assistant city clerk in office May 31, 1906, shall continue to hold his office until January 1 1907.

SEALER OF WEIGHTS AND MEASURES.

SEC. 37. The sealer of weights and measures of said city in office when this act takes effect shall continue in office until his successor is appointed and has duly qualified, unless sooner removed for cause in accordance with the provisions of this act. It shall be his duty, at least once in each year, to compare all scales, weights, and meas-

ures with the United States standard weights and measures belonging to the city of New Haven. Said sealer of weights and measures may appoint, with the approval of the mayor, such number of assistants as he may think necessary in the discharge of his duties, and their acts shall have equal authority with his own. He may remove any of said assistants at pleasure. He shall perform all other duties required of him by the ordinances of the city. He shall receive compensation for his services the salary provided in section forty of this act, and such fees to him and his assistants as the board of aldermen may by ordinance prescribe. After due hearing and by written order, giving his reasons therefor, which reasons shall not be political, the mayor may remove the sealer of weights and measures and appoint his successor. When a vacancy shall exist in said office of the sealer of weights and measures, the mayor shall appoint a new sealer of weights and measures from among those persons certified as eligible to such position by the civil service board and under the rules of said board. —As amended by act approved June 18, 1903.

CITY SHERIFF.

SEC. 38. The city sheriff shall, when duly required, attend upon the city court, when sitting for the transaction of civil business only, shall notify, when so directed by the mayor, the members of the court of common council of any meeting of either body, or any committee thereof, and may serve any civil process returnable to or issued by either of said courts, or any committee of the same, and shall serve all notices issued by any committee or departments. He shall perform all other duties required of him by law and the ordinances of the city.

MAYOR'S SECRETARY.

SEC. 39. The mayor's secretary in office May 31, 1907, shall continue to hold his office until the first week day of January, 1908. During the month of January, 1908, and biennially thereafter, the mayor shall appoint a secretary who shall be under the direction of the mayor. In addition to his duties as secretary to the mayor, he shall perform such other duties as may be by ordinance prescribed. —As amended by act approved July 6, 1905.

SALARIES.

SEC. 40. The salary of each of the following-named officers shall be at the rate herein provided: The mayor, thirty-five hundred dollars per annum; the mayor's secretary, one thousand dollars per annum; the corporation counsel, thirty-five hundred dollars per annum; the assistant corporation counsel, one thousand dollars per annum; the controller, three thousand dollars per annum; the treasurer, one thousand dollars per annum; the collector, four thousand dollars per annum; the city clerk, two thousand dollars per annum; the assistant city clerk, twelve hundred dollars per annum; the sealer of weights and measures, seven hundred dollars per annum; the city sheriff, twelve hundred dollars per annum. These and all other salaries paid by the city shall be payable in monthly instalments by the treasurer of said city, and shall be in lieu of any and all compensation for any services required by the city of said officers respectively by this act, except as the same may be herein otherwise specified; *provided*, that if the court of common council at any time, by an affirmative vote of two-thirds of all the members of each board, shall resolve that it is expedient to increase or decrease the salary of any city official to a certain specified sum, and if said resolve shall be adopted by the next court of common council in the succeeding year by a like vote, then said court may proceed to enact an ordinance increasing or decreasing said salary to the sum specified.

DEPARTMENTS.

BOARD OF FINANCE.

SEC. 41. There shall be in said city a department of finance, which shall be under the control of a board consisting of the mayor, who shall be its presiding officer, the controller, and, after June 1, 1904, one alderman, who shall be elected by the board of aldermen in the month of January, 1907, and each year thereafter, and six citizens, none of whom shall hold any other office in said city government, and to be appointed as hereafter provided; but said elections and appointments shall be so made that not more than five members of said board shall at any time belong to the same political party. The necessary expenses of said board shall be paid by the

city, but no member of the board shall be paid for his services. The alderman elected by the board of aldermen to be a member of the board of finance of said city, and who shall be serving as such member of the board of finance on May 31, 1906, shall continue to be a member of the board of finance until January 1, 1907.—As amended by act approved July 6, 1905.

SEC. 42. It shall be the duty of said board to hold a regular weekly meeting on some day to be fixed by said board, and the mayor may call a special meeting at any time, on reasonable personal notice to the members thereof, or on written or printed notice sent to the residence of each member, or mailed to him by the clerk of said board, at least twenty-four hours before the time of holding such meeting. It shall be the duty of said board carefully to examine and consider all claims and accounts against the city submitted for its approval, and to approve by the signatures of a majority of its members such claims or accounts as it finds to be justly due.

SEC. 43. In the month of January, 1907, and in each January thereafter, the mayor shall appoint three citizen members of said board for a term of two years from the first day of February next succeeding.—As amended by act approved July 6, 1905.

SEC. 44. In the month of November in each year the board of finance shall make estimates of the moneys necessary to be appropriated for the expenses of said city for the year next ensuing, beginning January first, and of the rate of taxation required to meet the same, and shall classify the said expenses under appropriate heads and departments. In the preparation of said estimates said board of finance shall give notice to each board or department, of a definite time and place where they will meet to consider the needs of such board or department; said board of finance shall recommend such tax upon the polls and ratable estates within the limits of said city as it shall deem necessary to meet such expenses. Said estimates and the rate of taxation recommended shall be submitted to the court of common council during the first week of the month of December next succeeding, and, within five days after said submission, shall be published once in each of the daily newspapers in said city; and after such publication and before the twentieth day of said month of December said court shall proceed to consider and act upon said estimates, and said appropriations and rate of taxation, so reported by the board of finance to said court, shall be final, and

the appropriations and rate of taxation shall be the legal appropriations and the legal rate of taxation for said city, unless changed by a two-thirds vote of each board of the court of common council; but said court of common council shall not have power to increase the appropriations, or any item thereof, or the rate of taxation as recommended by the board of finance, nor shall said court of common council reduce any item fixed by said board of finance for the payment of interest or principal of the municipal debt. But the total amount of such annual appropriations for any one year shall not exceed the estimated income for that year, nor shall any city or department officer or board of commissioners of said city make any expenditures except for the objects and purposes specified by said court of common council. Nor shall any city or department officer or board of commissioners of said city incur any liability or expense by contract or otherwise for which said city shall be responsible in excess of the appropriations so made by said board of finance and said court of common council.

The board of finance, upon the recommendation of the court of common council, shall have power to make appropriations for public receptions, parades, concerts and celebrations to an amount not exceeding fifteen hundred dollars for any one of said purposes in any one year. No amount appropriated for any one purpose, whether general or special, shall be used or appropriated for any other purpose except the same be authorized by the board of finance. —As amended by act approved April 30, 1901.

SEC. 45. The board of finance may provide at any time for the discounting, at current rates of interest, of all sums assessed for taxes, but not yet payable. Said board shall have power, in the name of the city, to borrow such sums from time to time, as in its opinion may be needed for city purposes, in anticipation of such taxes as shall have been previously laid, and in anticipation of the sale of bonds which may have been ordered by the court of common council in accordance with law, and for no other purpose; and the amount so borrowed shall be repaid from said taxes when collected or from the sale of such bonds. It shall be the duty of said board to make rules regulating the method of payment of all officers and employes of said city and prescribing the forms of the receipts to be required.

DEPARTMENT OF POLICE SERVICE.

SEC. 46. There shall be in said city a department of police service which shall be under the management and control of a board consisting of the mayor and six commissioners to be appointed as hereinafter provided, and with duties as herein set forth.—As amended by act approved July 6, 1905.

SEC. 47. Said department shall preserve the peace, good order, and security of said city, and shall consist of a chief and such officers, policemen, supernumeraries, special constables, police matrons, and employes as the board of police commissioners may from time to time prescribe. All promotions of officers and members of the police force shall be made by the board of police commissioners on grounds of meritorious police service and superior capacity, and shall be as follows: sergeants of police shall be selected from among patrolmen, and captains from among the sergeants. All appointments, including special constables, and promotions, except the chief, shall be made by said board in accordance with the rules of the civil service board, but no one except special constables shall be permanently appointed until he shall have performed active police service as supernumerary for at least six months. Said board of police commissioners shall have power to designate members of such supernumerary force for such period of active service as it may think proper. The board of police commissioners may establish a detective bureau, which shall be under the charge and direction of a captain of the detective force, who shall be subject to the order of the chief of police.—As amended by act approved April 9, 1901.

SEC. 48. During the month of January, 1907, and in each January thereafter, the mayor shall appoint two members of said board for a term of three years from the first day of February next succeeding. No more than three members of said board shall at any one time belong to the same political party. As amended by act approved July 6, 1905.

SEC. 49. The mayor shall be, ex-officio, a member and chairman of said board and may vote upon all questions, including the election and appointment of any officer or employe elected or appointed by said board. When a vacancy shall exist in the office of chief, the mayor shall appoint a new chief, who shall only be removable as

provided for other appointees of the mayor.—As amended by act approved July 6, 1905.

SEC. 50. The board of police commissioners shall fix the pay or compensation of all members of the department, except the chief, whose salary shall be at the rate of twenty-five hundred dollars per year, provided that the pay of the members of the veteran reserve shall be regulated in accordance with the amount of duty performed, and shall not be more than one-half nor less than one-fourth of the rate of compensation previously received by said members while in the regular grade.

The present superintendent of police of the city of New Haven shall be and remain, subject to the provisions of said charter, the chief of police of the city of New Haven.—As amended by act approved April 9, 1901.

SEC. 51. In addition to the supernumerary and regular police force, there shall be an honorary grade, known as the veteran reserve, to which said board of police commissioners may, at its discretion, transfer any member of the regular force, who shall, through age, or physical disabilities incurred in the discharge of perilous duty, or in long and faithful service, become permanently disqualified for the more active duties of the regular grade; and said board of police commissioners may, at its discretion, by the affirmative vote of at least four commissioners, as a reward for conspicuously meritorious service, retire permanently from duty any members of the veteran reserve after twenty-five years of continuous service in the department, upon the certificate of the surgeon of the department or of a board of surgeons to be designated by said board of police commissioners, showing that said member is permanently disabled, physically or mentally, so as to be unfit for any police duty; *provided*, that such board of surgeons shall further certify that in his or their opinion said disability is due to injury received or exposure endured in the performance of duty in said department; and such member so retired shall be entitled to receive from the policemen's relief fund of the department, during his lifetime, unless said vote is annulled by a unanimous vote of said commissioners, an annual sum, payable monthly, not exceeding one-half, nor less than one-third, of his previous compensation per annum.—As amended by act approved May 3, 1901.

SEC. 52. The board of police commissioners shall select and provide for all elections held in said city and town, in each ward and

voting district of said city and town, a proper and suitable place for holding such elections, and shall, at least ten days before the holding of such elections, furnish the mayor of said city with the list of places designated for such elections; *provided, however,* that no saloon or place where intoxicating liquors are usually sold shall be selected for such purpose. Said board shall also, in case of any election to be held in and for said town, at least ten days before the holding of any such election, furnish the selectmen of said town with a list of the places designated for such election. It shall be the duty of the chief of said department to make and enforce uniform rules to preserve the peace, enforce good order, and prevent persons not voting or waiting their turn to vote, or engaged in conducting said election, from congregating within one hundred feet of said voting place.

Nothing herein contained shall give the board of police commissioners nor the city of New Haven any control over elections held in the borough of Fair Haven East or in the Westville school district, nor shall the expense of the elections in said borough or in said school district be paid by the city or town of New Haven.—As amended by act approved April 9, 1901.

INSPECTOR OF LAMPS.

SEC. 53. The department of police shall render such assistance in the care and management of public lamps as the court of common council may direct. The inspector of lamps appointed by the mayor in June, 1897, shall continue to hold the office of inspector of lamps until his successor has been appointed and has duly qualified. After due hearing, and by written order, giving his reasons therefor, the mayor may remove the inspector of lamps and appoint his successor. The inspector of lamps shall perform such duties in the care and management of lamps, and in the care and management of street signs on the same, as shall be specified by the court of common council and approved by the mayor. He shall receive such salary for his services as may be fixed by the court of common council of said city.

DEPARTMENT OF FIRE SERVICE.

SEC. 54. There shall be in said city a department of fire service, which shall be under the management and control of a board of five commissioners to be appointed as hereinafter provided and with duties as herein set forth.

SEC. 55. Said department of fire service shall be charged with the duty of protecting the city against danger from fire and unsafe construction of buildings, and shall consist of a chief, a fire marshal, a superintendent of fire alarm telegraph and electrical construction, and such officers and employes as the board of fire commissioners may from time to time prescribe. All appointments and promotions, except the chief, who shall be appointed by the mayor, shall be made by said board in accordance with the rules of the civil service board. The salary of the chief shall be at the rate of twenty-five hundred dollars per annum, and the compensation of the officers and employes of said department shall be determined by the board of fire commissioners. Said board of fire commissioners shall have authority to make a contract with corporations and individuals outside of the original twelve wards, and outside of the limits of said city, granting such corporations and individuals fire protection for such compensation as may be deemed just and proper, subject to the approval of the court of common council.—As amended by act approved July 19, 1905.

SEC. 56. During the month of January, 1907, and in January of each year thereafter, the mayor shall appoint for a term of three years from the first day of February next succeeding such number of commissioners as may be necessary to fill vacancies arising by reason of the expiration of terms. Not more than three members of said board shall at any one time belong to one political party. Whenever a vacancy shall hereafter exist in the office of chief, the mayor shall appoint a new chief, who shall be removable as provided for other appointees of the mayor. The present superintendent of the fire department of the city of New Haven shall be and remain, subject to the provisions of said charter, the chief of the fire department of the city of New Haven.—As amended by act approved July 6, 1905.

SEC. 57. It shall be the duty of the fire marshal to inspect from time to time the schoolhouses and other public buildings, and all buildings in which any public assemblies, exhibitions, entertain-

ments, or shows are held, for the purpose of ascertaining whether such buildings are in danger of damage or destruction from fire or unsafe construction, and whether the ordinances concerning means of exit from such buildings are obeyed. It shall also be his duty, whenever he may deem it necessary, to inspect any building in the city, with a view to ascertaining whether the ordinances relating to the construction, use, and condition of buildings are obeyed, and he shall perform all other duties in regard to the inspection of buildings, or issuing permits for the construction thereof, which may be required of him by the ordinances of the city. It shall be his duty to report all unsafe buildings and all violations of such ordinances to the mayor. The court of common council may make such orders as it may deem necessary for the alteration and improvement of such buildings; *provided*, that the court of common council may provide for an inspector of buildings, who, after said office is authorized, and the salary has been fixed by the court of common council, shall be appointed by the mayor, who, before making such appointment, shall cause to be filed with the city clerk for record a certificate of ability issued and signed by at least two of three competent New Haven architects designated by the mayor, which certificate shall be issued after such examination of the candidate for appointment as they consider necessary to determine his competency for the duties of said office.

SEC. 58. It shall be the duty of the superintendent of fire alarm telegraph and electrical construction to have charge of the fire alarm telegraph system in said city, and also to inspect electrical plants, and the use and construction of wires on which electricity is conducted within said city, and secure the enforcement of all ordinances and regulations passed by the court of common council in regard to such plants and wires, and shall perform such other duties as may be by ordinance prescribed.

GENERAL PROVISIONS CONCERNING THE POLICE AND FIRE DEPARTMENTS.

SEC. 59. The board of commissioners of each of the police and fire departments shall have control thereof and of all the property of said city used for and by said departments, shall purchase all supplies, and shall provide for the heating, lighting, and repairs of

the buildings used by such departments, and shall have power to prescribe and define the duties of the members of such departments, and to make all rules necessary for the proper government thereof and the appointment of officers and employes.

SEC. 60. The chief of each of the police and fire departments shall be the chief executive officer of his department, and shall be chargeable for its efficiency and responsible for the execution of all laws and the rules and regulations of the department.

He shall assign to duty all the members of his department, making such changes from time to time as in his judgment the efficiency of the department may require.

He shall have the power to suspend, without pay, any member of the regular force; *provided, however*, that no such suspension shall be continued for a period of more than ten days without affirmative action by the commissioners of his department, which action shall not be taken until after a hearing upon charges preferred in writing; a copy of such charges shall be left with said officers at least forty-eight hours prior to the time fixed for such

hearing. He shall have power to grant leaves of absence to members of the force for a period not exceeding five days, reporting to his board of commissioners all changes or assignments of office and absences granted.—As amended by act approved April 9, 1901.

SEC. 61. When this act takes effect the chief of each of said departments shall continue to be the chief of his department, with the powers and duties herein specified, and all officers and employes of said departments shall continue to hold their respective positions subject to the provisions hereof.—As amended by act approved April 9, 1901.

SEC. 62. All lawful city ordinances relating to either of said departments and to any officer thereof, and all of the regulations of either of said departments in force at the time fixed for the taking effect of this act, and not inconsistent herewith, are hereby continued in effect until the same shall be duly amended by competent authority.

SEC. 63. No commissioner on said police board excepting licensed druggists shall, either as principal, agent, or employe, be engaged in or directly or indirectly interested in the manufacture or sale of intoxicating liquors or bottled drinks at wholesale. No one of said commissioners, nor any member of the court of common council, shall be or become bondsman for any person by reason

of any obligation entered into by such person with said city or any department or officer thereof, nor shall any commissioner or member of the court of common council be or become surety upon any license bond given by an applicant for a license to sell intoxicating liquors, nor shall any one of them sign any application for such license.

SEC. 64. Each of said boards of commissioners shall have sole power of appointment and promotion of all officers and employes of their respective departments, under such rules and regulations as they may adopt for the purpose, except where otherwise provided. Four members of the board of police commissioners and three members of the board of fire commissioners shall constitute a quorum for the transaction of business. No appointments or promotions in the police department shall be made except by the affirmative vote of not less than four commissioners, except where otherwise provided.

SEC. 65. Each of said boards of commissioners shall have power, for cause, after a hearing on charges made in writing, to remove, reduce in rank, or suspend without pay any officer or employe in its department that it has power to appoint. No removal, reduction in rank, or suspension shall be made for political reasons. Charges against any officer or employe shall be preferred by the chief, served upon the person accused at least forty-eight hours before the time fixed for a hearing, and presented to the board of commissioners of the department to which such officer or employe may belong.—As amended by act approved April 9, 1901.

Any officer or employe dismissed may make his application to any judge of the superior court within and for New Haven county in the nature of an appeal from such order of the board of commissioners, which application shall be made returnable not more than six nor less than three days from the date of such order of the commissioners, and a copy thereof shall be served upon the city clerk at least forty-eight hours before the day on which it is made returnable. Said judge, having given such further notice as he may deem necessary, shall forthwith hear said application, and may approve, modify, or revoke such order, and may award costs at his discretion. During the pendency of said application such order of the commissioners shall have full force and effect, subject, however, to the power of said judge if such order shall be modified or

revoked to make his decree relate back to the date of such order.
—Added as amendment to section 65 by act approved June 22, 1903.

POLICEMEN'S AND FIREMEN'S PENSION FUNDS.

SEC. 66. There shall hereafter be a fund for the policemen and a fund for the firemen of said city, known as the Policemen's Relief Fund and the Firemen's Relief Fund, to which shall belong:

1. All moneys and securities included in the funds now existing in each department.

2. All bequests and donations, from public or private sources, to either department on account of services rendered, or for the purposes for which the fund is established.

3. Five per centum of all fees collected on account of licenses issued to sell spirituous or intoxicating liquors within the city of New Haven until the Policemen's Relief Fund amounts to the sum of fifty thousand dollars, and the Firemen's Relief Fund amounts to the sum of fifty thousand dollars. When the funds of these departments equal the sums above named, no more fees from licenses to sell spirituous or intoxicating liquors within the city of New Haven shall be paid into said funds, but shall be paid into the city treasury to be used for ordinary expenses, except the funds at any time shall fall below the sum of fifty thousand dollars in the Policemen's Relief Fund, and fifty thousand dollars in the Firemen's Relief Fund, then the fees, to the amount of five per centum, collected on account of licenses to sell spirituous or intoxicating liquors within the city of New Haven, shall be paid into said fund until the amounts above named are reached, and the fee shall then cease to be paid, and revert to the city treasury.

4. All moneys or property presented to any member of either department on account of special services, except such as may, by special vote of the board of commissioners of such department, and with the approval of the mayor, be retained by such member.

5. Assessments on the salaries of members of the police department at the rate of two per centum per annum, payable monthly or quarterly as the trustees of such fund may determine.

6. Such monthly assessments on the salaries of members of the fire department, not exceeding two per centum per annum, as the trustees of such fund may determine.—As amended by act approved May 3, 1901.

SEC. 67. Said funds shall be respectively known as the "Police-men's Relief Fund" and "The Firemen's Relief Fund," and the former shall also include all lost, abandoned, unclaimed, or stolen moneys in charge of the police department, and all moneys arising from the sale of lost, abandoned, unclaimed or stolen property in charge of said department, now made available for the purpose by the statute laws of the state.

SEC. 68. The boards of commissioners of such departments shall respectively be boards of trustees of said funds, and may invest and reinvest the same as the laws relating to trust funds may permit. The mayor shall be president of each of said boards, the city treasurer shall be its treasurer, and the clerk of the department its clerk. All orders on said funds shall be signed by the clerk and countersigned by the president.

SEC. 69. The board of police commissioners, with the affirmative vote of four commissioners and with the mayor's approval, and the board of fire commissioners, with the affirmative vote of three commissioners and with the mayor's approval, may permanently retire any member of the department who, while in the actual performance of duty and by reason of the performance of such duty, and without fault and misconduct on his part, shall have become permanently disabled, physically or mentally, so as to be entirely unfitted to perform such duties; and either of such boards may cause to be paid from the fund of said department to said member during his lifetime and in monthly instalments, unless said vote is annulled by four of said police commissioners or three of said fire commissioners, as the case may be, a sum not greater than one-half nor less than one-fourth of his previous compensation; *provided, however*, that in the cases mentioned in this section, such medical examiners as said board may appoint shall certify in writing that such disability exists, and in their opinion from such cause.

SEC. 70. The board of police commissioners, with the affirmative vote of four commissioners, and with the mayor's approval, and the board of fire commissioners, with the affirmative vote of three commissioners and the mayor's approval, may cause a sum not exceeding two thousand dollars to be paid from the fund of such department to the widow of, or other person or persons dependent upon, any member of such department who shall have been killed while in the actual performance of duty, or shall have died from the effects of any injury received while in the actual dis-

charge of such duty, and may apportion such sum between such persons as it may deem best.

SEC. 71. All members on the retired lists in either department shall be subject to the orders of the board of commissioners of such department, which may at any time require any member to be re-examined, and in case he shall be reported capable of performing duty, may, by the affirmative vote of four of said police commissioners and with the mayor's approval, or of three of said fire commissioners, as the case may be, and with the mayor's approval, restore him to service in said department.

SEC. 72. The clerk in each department shall record all of the doings of the board of trustees, and all of the doings of the board of commissioners in relation to the fund of his department, and shall record the vote of each member on each question connected therewith. An itemized report of the condition of each fund and of all receipts and disbursements shall be submitted to the mayor on or before the fifteenth day of February, 1900, and annually thereafter, for the preceding fiscal year.

DEPARTMENT OF PUBLIC WORKS.

SEC. 73. There shall be in said city a department of public works, which shall be under the charge of one director, appointed by the mayor, who shall be known as the director of public works. His salary shall be at the rate of twenty-five hundred dollars per annum, and, before taking office, he shall file with the city clerk bonds in the amount of ten thousand dollars. The person in office as director of public works when this act takes effect shall hold office until his successor has been appointed and duly qualified. During the month of January, 1908, and biennially thereafter, the mayor shall appoint a director of public works to hold office during the term for which said mayor shall have been elected and until the successor of such director shall be appointed and duly qualified. —As amended by acts approved June 10, 1901, and July 6, 1905.

SEC. 74. Except as otherwise provided in this act, the director of public works shall be responsible for the care and management of all streets, avenues, highways, alleys, bridges, public grounds, and parks of said city, and the opening, grading, improving, repairing, and cleaning of the same; of the construction, protection,

repair, furnishing, cleaning, heating, lighting, and general care of all public buildings, except such as are by the express terms of this act under the control of some other officer or department; of making and preserving all surveys, maps, plans, drawings, and estimates relating to all works under the charge of said department; of the construction, repair, cleaning, and general care of all sewers, drains, culverts, sluiceways, and catch-basins. He shall cause all orders of the court of common council concerning any of said subjects to be executed. The director shall make all suitable rules and regulations in regard to said department and the conduct of its business.

The director of public works shall have the same power and duties in regard to fence viewing as were formerly vested in the board of selectmen of the town of New Haven.

SEC. 75. During the month of January, 1908, and biennially thereafter, the mayor shall appoint all heads of bureaus provided for in paragraphs one and two of section seventy-six of the charter of said city, to hold office during the term for which said mayor shall have been elected and until their successors be appointed and duly qualified. After due hearing, by written order, giving his reasons therefor he may remove or suspend any officer of such department whom he has power to appoint; *provided*, that such written order shall be recorded in the records of the department.—As amended by acts approved June 10, 1901, and July 6, 1905.

SEC. 76. There shall be the following bureaus in said department, the heads of which shall appoint and may remove their own subordinates, except as herein otherwise provided, subject to the approval of the director.

1. A bureau of streets, the head of which shall be called the superintendent of streets, who shall, under said director, have charge of the opening of all new streets, and the improvement, repair, and cleaning of all streets, avenues, highways, alleys, sidewalks, parks, and public grounds under the charge of said department. The salary of said superintendent shall not exceed eighteen hundred dollars per annum.

2. A bureau of sewers, the head of which shall be called the superintendent of sewers, who, under said director, shall be charged with the repair, cleaning, and general supervision of all sewers, drains, sluice-ways, culverts, and catch-basins, and with such other duties as may be designated by the director. The salary of said

superintendent shall not exceed eighteen hundred dollars per annum.

3. A bureau of engineering, which shall be under the care of an experienced civil engineer, who shall be known as the city engineer, and shall make all surveys, maps, plans, drawings, specifications, and estimates relating to the work of said department; shall superintend the construction and repair of sewers, bridges, and new pavements, and do any other engineering work which said department may require; and shall care for and preserve all maps, papers, and books of said department, and perform such other duties as may be by ordinance prescribed. The salary of said engineer shall not exceed twenty-five hundred dollars per annum.

4. A bureau of compensation, at the head of which shall be a board, consisting of three commissioners, to be appointed by the mayor, not more than two of whom shall belong to the same political party, which board shall elect one of its members to be president. The members of said board shall receive for their services such salaries as the board of finance may determine, not exceeding the sum of three hundred dollars each per year. The members of the bureau of compensation holding office when this act takes effect shall continue to hold office until the expiration of the terms for which they were appointed, unless removed in accordance with the provisions of this act; and in the month of June, 1900, and in each June thereafter, the mayor shall appoint one member of said bureau for a term of three years from the first day of July next succeeding. (See Section 17, appendix, page 127.)

SEC. 77. The director of public works shall appoint such clerical assistance as may be necessary for said department, with salary to be fixed by the board of finance. It shall be the duty of said clerk or clerks to perform the clerical work of said board, and act as clerk of the department of compensation, and also to examine all transfers of real estate within the boundaries of said city which are matters of public record, and to make and preserve, for the use of the department or board, and for the use of all officers of said city, such abstracts of titles to real estate as may facilitate the work of such department or board, or the work of any other department or officer of said city, and perform such other duties as may be by ordinance prescribed.

SEC. 78. Before the court of common council shall decide to take any land, or to lay out any square, park, street, highway,

bridge, or walk, or to establish any building line or discontinue any highway, it shall refer all pending measures relating thereto to the department of public works.

Said department shall, after notice to all owners and mortgagees of land proposed to be taken or affected by such measures, and after public hearing thereon, cause a survey of such land or a layout of such public work to be prepared, and an assessment of benefits and damages to be made.

SEC. 79. All of such notices shall be signed by a clerk of the department, and a notice shall be delivered or mailed to each person, interested as aforesaid in such land, who resides in the city, or to the agent in charge of such land, or be left at the usual place of abode of said person or agent, at least six days prior to such hearing. In case any person so interested shall not at the time reside in the city, or shall be under any legal disability, or in case the owner of any such property is unknown, such notice shall be given as a judge of the superior court or of the court of common pleas may order.

SEC. 80. The bureau of compensation shall advertise in two or more daily papers three times the time fixed for a hearing on all matters coming before them, and the subject matter of said hearing; and after said hearing shall estimate the total probable expense of taking such land, or of making such public improvements, or discontinuing such highway, or establishing such building lines, and shall assess benefits and damages for or against all persons interested in the matter, and shall estimate how much of said amount shall be paid by each person whose property is especially benefited by the proposed action, and how much shall be paid to each person whose property is damaged thereby. All assessments shall be for the excess of benefits over damages, if any, or *vice versa*, as the case may be. Said bureau shall make a report of its doings to the department of public works, and in case the damages shall exceed the assessment over benefits, shall state whether there has been any appropriation made in accordance with law to pay for the same, and said department shall report its doings to the court of common council in writing, and shall annex thereto a survey showing the particular designation of the land to be taken or the layout of the proposed public improvement.

SEC. 81. Said court of common council may, after all necessary appropriations have been made, accept said report, and adopt such

layout, or assessment, or may modify the same as it may deem best, and when such report or modification shall have been accepted and recorded in the records of the court of common council, and when the damages shall have been paid to the person whose property has been taken or damaged for such public purpose, or shall have been deposited with the city treasurer to be paid to such person when he shall apply for the same, then each of said assessments shall be legally deemed to have been made, and if the matter relate to the taking of land, the land described in the order of said court of common council shall be and remain taken and devoted to the public use for which it shall have been so designated. Such assessment shall be published three times in each of two or more daily newspapers published in said city, within one week after compliance with the foregoing provision in regard to the payment of damages, and after the report of the director of public works that the improvements have been completed. All assessments of benefits shall be payable immediately after the last day of publication of such assessments. The city clerk, shall, with any such assessment, also publish the descriptive part of the order of the court of common council on which such assessment is based, and the date when the same is payable.

If any person shall refuse to receive the amount found due to him, or in case no one shall be found having authority to receive the sum found due to any particular person, such amount shall be deposited in the treasury of said city, to be paid to the person entitled to receive the same whenever he shall apply therefor. No assessment for benefits shall be collectible nor bear interest until the work for such assessment was laid shall have been completed. Every such assessment shall bear interest at the rate of six per centum per annum from and after the date of such completion until a certificate of lien therefor shall have been filed.

SEC. 82. The court of common council may order the owner or owners of any land fronting on any highway or street in said city to construct or repair sidewalks, curbs, or gutters within the highway adjacent to said land, in the manner and within the time specified in such order, at such grade as said city may have constructed in said highway. Notice of such order shall be given by the director of public works to each property owner affected by said order, in the manner prescribed for serving notices of hearing of said department. If any such owner shall neglect or refuse to comply with such order, or to remove snow, ice, or sleet from the sidewalk

adjacent to his land in the manner required by ordinance, it shall be the duty of the superintendent of streets, at the expense of the city, to perform the things required by such order or ordinance, and the expense so incurred shall, from the time when such superintendent begins to act and make expense in the premises, be and continue a lien and real incumbrance in favor of said city upon such land. Such amount may also be recovered in an action in the name of said city.

SEC. 83. All assessments of benefits made under this act shall be and remain a lien upon the property especially benefited by the public work or improvement in view of which such assessments were made, but the whole amount of assessments for benefits, by reason of any such work or improvement, shall in no case exceed the cost thereof, including the damages payable; and such liens, and liens for the expenses of the laying of any sidewalk, curb, or gutter by said city, or for the cleaning of any sidewalk, or for the sprinkling of any street, shall take precedence and priority of all other liens or incumbrances on the property whereon the same is imposed (except taxes and other city liens prior in date), and may be foreclosed in the same manner as though said liens were mortgages on such property in favor of said city to secure the amount of such assessment or expense; *provided*, that no such lien shall continue to exist longer than sixty days after such assessment shall have become payable, or, as the case may be, after such expense shall have been incurred, unless within that period a certificate of lien, in the manner and form elsewhere provided, shall be lodged with the town clerk of the town of New Haven, to be by him recorded in a book kept for that purpose.

(When any lien is put upon any land or buildings under the charter and by-laws of said city, such land and buildings shall be liable for the assessment and interest on the amount of such lien from the date thereof until paid, and also for the town clerk's fee and a fee of one dollar for the drafting of a lien certificate, and, before such lien shall be removed, such assessment, interest, and fees shall be paid to the collector. Amendment by act approved June 3, 1903.)

SEC. 84. In case any land in front of which any sidewalk, curb, or gutter is ordered, or against which an assessment of benefits for any public work is to be made, shall be holden by two or more persons jointly, or two or more persons shall have different

estates therein, the board of compensation may apportion between such persons the amount of such assessment or the expense of carrying out such order. Said board shall report its doings to the court of common council, and the action of said court of common council thereon shall determine the amount to be paid by the said persons respectively.

SEC. 85. Any party who shall be aggrieved by any order of the court of common council, making any such assessment of benefits or damages, or requiring the construction of any sidewalk, curb, or gutter, or the payment of any part of the expense thereof, may make written application for relief to the superior court, to be held in and for New Haven county; *provided, however*, that he shall cause a copy of said application to be served upon the city clerk within thirty days after the doing of the act complained of. Said court may, by a committee or otherwise, inquire into the allegations of such application, and may confirm, annul, or modify the assessment or other action therein complained of, or make such order in the premises as equity may require, and may allow costs to either or neither party at its discretion; and said court may inquire into the validity of all the proceedings upon which said assessments or other action is based. No land taken as aforesaid shall be occupied by the city until the time for taking appeals shall have expired, and until all appeals have been finally disposed of. All such appeals shall be privileged cases in the superior court, and it shall be the duty of the corporation counsel to cause such appeals to be heard as speedily as possible.

DEPARTMENT OF PARKS.

SEC. 86. There shall be in said city a department of parks, which shall be under the charge of a board of park commissioners, consisting of the mayor, who shall be its chairman, *ex-officio*, with power to vote in case of a tie, and eight commissioners, who shall serve without pay and be chosen as follows: The three permanent or citizen commissioners of the East Rock park commission shall be commissioners of said board; the five other commissioners shall be appointed by the mayor, as hereinafter provided.

SEC. 87. The three citizen commissioners of East Rock park aforesaid shall hold their respective positions, and their successors

shall be appointed, pursuant to the provisions of the act incorporating East Rock park in the city of New Haven, passed at the January session, 1880, and amendments thereto. And in the month of January, 1906, and, in each January thereafter, the mayor shall appoint one citizen as a park commissioner, to hold office for three years from the first day of February next following. In the month of January, 1907, and in every second January thereafter, the mayor shall appoint two aldermen to be park commissioners during their term of office. No park commissioner shall be removed except by a vote of the board, but the mayor may fill any vacancy that may occur, except among the commissioners of East Rock park, by an appointment of the same character for the unexpired term. The citizen members of the board of park commissioners who shall have been appointed by the mayor prior to January 1, 1906, shall continue to hold their respective offices for one month after the time when their respective terms of office would, except for this provision, have expired.—As amended by act approved July 6, 1905.

SEC. 88. Said board shall have general and exclusive charge, control, and management of East Rock park, and of all other public parks, squares, grounds, and open places acquired or dedicated to public use since May twenty-fourth, 1889, and which may hereafter be acquired or dedicated to public use, as parts of or additions to the public park system of the city or town of New Haven, whether within or without the limits of said city, but not including streets in parks within the city limits. It shall have sole charge of the preservation, development, and adornment of said parks, and is hereby empowered to make and alter, from time to time, all needful rules and regulations for the maintenance of order, safety, and decency in said parks, the prevention of any depredation therein or misuse of the same, and the protection and preservation of said parks both within and without the limits of the city, and to affix penalties for disobedience thereto, which rules and regulations shall have the force of ordinances of the city of New Haven; *provided*, that no such rule or regulation shall be of any effect unless it shall have been first approved by the court of common council and then published at full length in one or more of the daily newspapers published in New Haven, and also printed and posted in conspicuous places within the limits of the parks or places to which such regulation is intended to apply. For the pur-

pose of enforcing such rules and regulations, all such parks and places, whether within or without the limits of said city, are hereby placed under the police jurisdiction of the city of New Haven, and complaints for violation of such regulations may be made by the city attorney to the city court of said city; but nothing contained in this section shall be construed to affect the general police or governmental jurisdiction of any town within whose limits any portion of such public park or place may be situated. Any member of the police department or the superintendent of any park may arrest without warrant in any of such parks or places, whether within or without the limits of the city of New Haven, any person who has broken any park rule, or committed any other offense in said parks; and the city court of New Haven shall have jurisdiction of all misdemeanors committed within the limits of said parks.

SEC. 89. All real and personal estate of the city used for park purposes, within the limits of any other town, shall be exempt from taxation or assessment for benefits and damages.

SEC. 90. Said board, with the approval of the court of common council, shall have power, in the name and on behalf of the city of New Haven, to procure by gift, purchase, lease, exchange, or other contract, or by condemnation as herein elsewhere provided, real property, whether within or without the limits of the city of New Haven, for the purpose of providing public parks or the enlarging of existing parks; *provided, however*, that in no case shall any expenditure be made in excess of the amount previously appropriated for such purpose.

SEC. 91. Said board may employ a secretary, who may be one of its own members, at a salary not exceeding five hundred dollars per annum. It shall have power to appoint or employ such superintendents, engineers, and other officers and employes as it may deem necessary, and shall prescribe and define their respective powers, duties, and authority, and shall fix and regulate the compensation to be paid to the several persons so employed. It may call on the department of public works for such services from the city engineer as it may deem necessary.

SEC. 92. The board of finance shall annually appropriate a sum of money, not exceeding six thousand dollars, for the care and maintenance of East Rock park, and an additional sum of money, not exceeding twelve thousand dollars, for the care of all other parks under the charge of said board.

DEPARTMENT OF PUBLIC HEALTH.

SEC. 93. There shall be a department of public health in said city, under the care and control of a board of health, consisting of five members, two of whom shall be physicians. Said board shall choose a president, who shall be at the head of said department. All members of said board shall be residents of said city and shall serve without compensation. The members of the board of health holding office at the time when this act takes effect shall continue to hold office until the terms for which they have been appointed expire unless they be sooner removed in accordance with the provisions of this act. In the month of January, 1907, and in every January thereafter, the mayor shall appoint one member of said board to hold office for a term of five years from the first day of February next following his appointment.—As amended by act approved July 6, 1905.

SEC. 94. Said board shall have and exercise throughout the city and town of New Haven and over the navigable waters adjacent thereto all the jurisdiction, power, privileges, and duties now by law vested in and imposed upon the town health officers in this state in their respective towns. Said board shall have the power to inspect food stuffs offered for sale within the limits of the city and town and regulate the sale of the same so far as the sanitary interest of the community is involved. It shall regulate the sale of milk by licensing for a reasonable fee the vendors of the same, and may destroy such breadstuffs, including milk and other property, when it is detrimental to the public health. Said board shall abate nuisances at the expense of the owner whenever their orders are neglected beyond a reasonable time, and said board shall for such acts have power to place a lien on the property involved, for the expense incurred in carrying out such abatement, which liens shall take precedence over all other encumbrances except taxes and liens of prior date. Said board may, from time to time, make such by-laws, rules, regulations, and orders as in its judgment the preservation of the public health shall require, to be enforced in the same manner as city ordinances, which by-laws, rules, regulations, and orders shall be of full force and effect throughout the entire fifteen wards of said city; *provided*, the same be not inconsistent with the constitution or laws of this state or of the United States or with the charter or ordinances of said city; *and provided*, that

said board shall in no case impose a penalty of more than one hundred dollars for a single violation of any by-law, and that no suit or process shall be brought for such violation unless said by-laws have been published at least four times in some daily newspaper printed in said city, before such violation occurred. There shall be no appeal from any action of said board to the county health officer, nor shall he have power to veto or annul any orders of said board.—As amended by act approved May 29, 1901.

SEC. 95. Said board shall employ at the expense of said city a health officer, with such powers and duties as said board may prescribe; and may also appoint such number of assistant health officers or inspectors, clerks, and plumbing inspectors, with such duties and powers as said board may prescribe, and may fix their compensation subject to the approval of the board of finance.

SEC. 96. It is hereby made the duty of the department of police to render, upon the request of said board, certified by the clerk and approved by the mayor, such assistance in the enforcement of its by-laws, rules, regulations, and orders as said request may specify.

SEC. 97. In case of the sudden spread of contagious diseases, said board may, with the advice and consent of the mayor, make all expenditures which it may deem necessary, until the board of finance shall have taken action in the premises.

DEPARTMENT OF THE PUBLIC LIBRARY.

SEC. 98. The city may maintain a public library and reading room, with such kindred and incident conveniences as it may deem proper, the use of which under proper regulations shall be free to its inhabitants.

SEC. 99. There shall be in said city a department of the public library, which shall be under the management and control of a board of library directors. Said board of directors shall have charge of all the property of said city used for the purposes of said library, and shall direct the expenditures of all money placed at its disposal by the city, from whatever source derived. Said board shall consist of nine directors, and the mayor, who may preside, *ex officio*, over said board, and who shall vote only to dissolve a tie. All the members of said board shall be residents of the city of New Haven, and shall serve without pay. The members of

said board of directors holding office when this act takes effect shall continue to hold their respective offices until the term for which they were appointed shall expire, unless sooner removed for cause in accordance with the provisions of the charter of said city. In January, 1906, and in every third year thereafter, the mayor shall appoint two directors who shall hold office for three years from the date of their appointment; and in January, 1907, and every third year thereafter, and in January, 1908, and every third year thereafter, the mayor shall appoint three directors to hold office for three years from the date of their appointment. In January, 1906, and annually in said month thereafter, the mayor shall appoint one alderman of the city of New Haven to hold office as director for one year; provided, however, that if the said appointee shall at any time during the year cease to be a member of the board of aldermen, then his term of office as director shall also expire, and the mayor shall fill the vacancy by the appointment of another alderman to hold the said office of director for the remainder of the year.—As amended by act approved July 6, 1905.

SEC. 100. Said board of directors shall make and enforce such rules and regulations as it may deem proper, for the management, protection, and preservation of the property of said library. They shall have power, with the consent of the court of common council, to make a contract or contracts on behalf of and in the name of said city with the New Haven Young Men's Institute, and with any trustee or trustees now or hereafter holding property for the benefit of said institute, or any part thereof, for the use and occupation of any property of said institute and of any property so held in trust for any of the purposes aforesaid.

SEC. 101. Said board shall appoint and remove such officers and employes as it may deem necessary for the proper management of said library and reading-room, and shall fix the duties and compensations of such officers and employes. Appointments and promotions to the positions of librarian, assistant librarian, and superintendents of the different departments may be made by said board without competitive examination, and the provisions of sections one hundred and seventeen to one hundred and twenty-four of said charter shall not apply thereto.—As amended by act approved July 6, 1905.

SEC. 102. The board of finance of the city shall annually appropriate a sum of money for the purpose aforesaid, and may from

time to time appropriate, in addition thereto, sums of money for building sites, repairs, improvements in real estate, or new buildings. All moneys which have been or shall be appropriated, and all moneys received from any other source for such purposes, shall be kept by the treasurer of said city as a separate fund to be paid out only on the order of the board of directors herein provided for. All receipts of said library from fines, sales of books, catalogues, and all other receipts shall be added to said fund, and shall be at the disposal of said board of directors. All bills and vouchers for expenses incurred shall be kept on file in said library, subject to inspection by the city controller, the corporation counsel, and the members of the board of directors of said library. In no case shall the board of directors incur any debt for the free public library beyond the amount of current funds on hand and the previous unexpended appropriations of the board of finance. The department of the free public library of New Haven is hereby authorized and empowered to accept any and all devises, legacies, or gifts of property, either real or personal, of any kind or class, that may be given or left to it by will or devise; and the board of directors of the said free public library is hereby given full power and authority, as trustees or otherwise, to invest, reinvest, and to have complete direction and management over all such property, of any class or kind, already given, or which may hereafter be given, either to said free public library of New Haven, or to the city of New Haven in trust for the use of the said free public library. All funds, moneys, bonds, mortgages, and securities of any class or kind which have been or may be hereafter given to the free public library of New Haven, or to the city of New Haven, in trust for the use of the free public library, shall be kept by the treasurer of the city of New Haven who shall give a bond, in addition to the bond otherwise required by him, in an amount satisfactory to the board of library directors, for the care and safe-keeping of the said securities.—As amended by act approved July 6, 1905.

SEC. 103. Said board of directors may make rules, extending, upon such terms and under such conditions as to the board may seem best, all the privileges of said library to any or all of the following classes of persons, viz.: First, to non-residents attending school or college within the limits of said city of New Haven; second, to non-residents doing business in said city of New Haven who pay taxes therein; third, persons who are residents of the

borough of West Haven, provided said borough shall make an appropriation for the benefit of said library which shall be satisfactory to the board of directors; fourth, to all non-residents on the payment of such sums as may be fixed by the board of directors.

DEPARTMENT OF EDUCATION.

SEC. 104. There shall be in said city a department of education, which shall have the care and management of all the affairs of the New Haven city school district. After this act takes effect no meeting of the New Haven city school district shall be held for any purpose whatever.

SEC. 105. Said department shall be under the control of a board of education of seven members who shall serve without compensation. The members of the board of education in office at the time this act takes effect shall hold their respective offices during the terms for which they were appointed unless sooner removed for cause according to the provisions of this act. On or before the first day of September, 1899, the mayor shall appoint two members of said board to serve four years from the third Monday in September next following; on or before the first day of September, 1900, the mayor shall appoint two members of said board to serve four years from the third Monday of September next following; on or before the first day of September, 1901, he shall appoint two members of said board to serve for four years from the third Monday of September, 1902, said mayor shall appoint one member of said board to serve for a period of four years from the third Monday of September next following. And on or before the first day of September in every year thereafter the mayor shall fill the vacancies about to occur in said board by appointing one or two members, as the case may be, to serve for four years from the third Monday in September following their appointment. Not more than four members of the same political party shall at any one time be members of said board. The mayor shall fill all vacancies caused by death, resignation, or otherwise, by appointment, for the unexpired term. If the mayor shall refuse, fail, or neglect for thirty days to make an appointment to fill any vacancy that may occur in said board, either by death, resignation, removal, or otherwise, then the remaining

members of said board may elect a suitable person to fill such vacancy.

SEC. 106. The board of education shall appoint a superintendent of schools, and shall decide the number of principals, assistants, and teachers to be employed. It may appoint or employ a secretary, an inspector of buildings, and such other officers and employes as may be necessary for the proper conduct of its business. It shall fix their terms of office and their salaries and prescribe their duties in each case, except as hereinafter provided. The officers and employes of the New Haven city school district, at the time of taking effect of this act, shall retain their respective offices until their successors shall be chosen, and the rules and regulations of the board of education then in existence, not inconsistent with this act, shall remain in force until repealed. Said board shall have the entire charge and direction of all the public schools of said district, and of the expenditure of all moneys appropriated for the support of the same, and shall have charge of the construction, management, and repair of all school buildings, and shall possess all other powers and be subject to all of the general duties of boards of education, school committees, and school visitors in this state, so far as the same are consistent with the terms of this act. It shall annually choose a president from among its own members, make its own by-laws, keep a journal of its proceedings, define the duties of its officers and committees, and prescribe such rules and regulations for discipline in said public schools as are not inconsistent with the laws of the state.

SEC. 107. The superintendent of schools, if he has not held the office before, shall be appointed for one year, and if continued in office thereafter may be appointed for a term of five years, and his salary shall not be reduced before the expiration of said term of five years. He shall not be removed during said term except by the vote of five members of the board of education. He shall appoint from those eligible under the rules of the board all principals, assistants, and teachers necessary to fill positions authorized by the board. He shall assign all principals, assistants, and teachers to their respective positions and re-assign them or dismiss them from office at his discretion. He shall report at each meeting of the board all appointments, re-assignments, and dismissals made by him since the previous meeting. Any appointment by the superintendent may be rejected by a vote of five members of the

board. Any dismissal by the superintendent shall be final unless reversed by a vote of five members of the board at the meeting when such dismissal is reported. Notice of dismissal on the part of the superintendent shall be given to the principal, assistant, or teacher by the superintendent in writing at least one week before the meeting of the board when the superintendent reports such dismissal. He shall, with the approval of the board of education, prescribe the courses of study in all the schools, but the text-books to be used in said courses shall be designated by the board. The superintendent shall annually, at a date to be fixed by the board, submit to the board a full report of the work and condition of the schools during the previous year, with recommendations for the ensuing year, which report, when accepted by the board, shall form part of its report to the mayor. He shall also report, each month during the school year, to the board in writing, any changes made in the several courses of study, and what principals, assistants, and teachers he has assigned, re-assigned, or dismissed, and shall furnish such additional information regarding the condition of the schools and the efficiency of the teaching force as may be required by the board. Said monthly reports shall be entered in a suitable book provided for the purpose, and shall be kept as a part of the records of the department.

SEC. 108. The treasurer of the city shall receive the amount of school money to which the district is entitled from the school moneys of the state, from the town of New Haven, from state appropriations for school purposes, from gifts, and from the tax laid within the district for school purposes, which moneys shall be subject to the order of the board of education under such rules and regulations as the board of finance may from time to time establish.

SEC. 109. The board of education shall submit to the board of finance of the city, at the time fixed by law for the submission of the estimates of the other departments of said city, a detailed estimate of its expenses for the next year for which the appropriations for city purposes are by law required to be made, specifying separately the sums needed for current and special expenses.

SEC. 110. Said board of finance shall annually appropriate for the purpose of said district such amount as it may deem necessary for such purposes. Appropriations made for school sites and the building and furnishing of new schoolhouses or additions to old ones shall be known as the special school fund, and it shall be the

duty of the board of education to cause accurate accounts to be kept of its receipts and expenditures, distinguishing between those of a general and those of a special character. The board of finance shall levy, for school purposes, a tax upon all property within said district as now or hereafter constituted.

SEC. 111. The board of education shall have power to maintain one or two high schools, as it may deem advisable, and a manual training school, and it shall determine the number and location of primary and grammar schools, but no expenditure involving any expense to the city of New Haven or the New Haven city school district for the purchase of ground or the erection of schoolhouses shall be made until a special appropriation for that purpose shall have been made.

SEC. 112. Said board shall annually, at a date to be fixed by the mayor, transmit to the mayor a full report of its proceedings during the previous year, together with a statement of its receipts and expenditures, specifying those on account of current expenses, and special expenses for land and buildings respectively, with such other details as the mayor may from time to time require.

SEC. 113. Said board shall have power to divide the school district into as many sub-districts as it may deem advisable, for the purpose of determining the limits within which children may attend each school.

SEC. 114. The city of New Haven, upon the recommendation of the board of education, shall have power to take sites for schoolhouses, or for the enlargement of sites already acquired, in the manner provided by law for the taking of land for public parks.

SEC. 115. The title to all property, legal or equitable, owned by such district, or which may hereafter be acquired for school purposes in said district, is hereby vested in the board of education, as trustee for said New Haven city school district.

SEC. 116. The Westville school district and the South school district are excepted from the provisions hereof. Whenever the electors of either the Westville school district or the South school district in the town and city of New Haven shall, by a majority vote in district meeting, in the manner provided for the admission of the different wards in section 218 of this act, express their desire to have their district annexed to the New Haven city school district, said vote shall be certified to the board of education of the New Haven city school district, and said board shall then, by a

proper vote, declare the district in question to be a part of the New Haven city school district, and it shall thereafter be included in said New Haven city school district, and be governed by all the provisions of this act relating to said district.

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CIVIL SERVICE BOARD.

SEC. 117. The chiefs of police and fire departments and three citizens, who shall serve without pay and be appointed by the mayor, shall constitute a civil service board. The necessary expenses of said board shall be paid by the city after approval by the board of finance. All citizens now members of said civil service board shall continue to be members of said board during the terms for which they were appointed unless sooner removed for cause under the provisions of this act. In the month of December, 1900, and biennially thereafter in the month of December, the mayor shall appoint a member of said civil service board for a term of six years from the first day of January next succeeding his appointment. Not more than two of the citizen members appointed by the mayor shall at any time be members of the same political party, and neither of such citizen members shall hold any other city office.—As amended by act approved April 9, 1901.

SEC. 118. It shall be the duty of said board to prescribe rules for ascertaining the competency of applicants for position or promotion in the police and fire departments, and for all positions in the city government except the elective officers, commissioners, officials appointed by the mayor, superintendents and principals and teachers employed by the board of education. Said board shall, under such rules as it may adopt, hold competitive examinations as a basis for recommendations respecting any such positions or promotions. Said board shall also adopt such rules as it may deem effective providing for the registration and selection of all laborers to be employed by the city, which shall relate only to their capacity for labor, their habits as to industry, honesty, and sobriety, and the number of persons dependent on them for support.

SEC. 119. Whenever said board shall have adopted rules relative to the appointment or promotion of any class of such officials, no appointments or promotions within such class shall be made, except from those who shall have passed an examination of at least

seventy per centum and have received a certificate to that effect from said board, and are upon the list of those eligible to such position or promotion, under the rules of said board. And after the adoption of such rules no removals shall be made of persons holding positions in any department of the city, subject to the provisions of such rules, except for sufficient cause duly shown, which cause shall not be political.

SEC. 120. Any appointment or removal made in violation of the provisions of section 119 shall be null and void; and it is hereby made the duty of the controller of the city to ascertain and make record of all appointments lawfully made in accordance with the provisions of said section 119, and he shall make no payments of salary or other compensation to persons within the classes prescribed in section 118, otherwise appointed. And said controller shall be chargeable by the city with all moneys unlawfully paid to persons appointed in violation of the provisions of said section 119.

SEC. 121. Any violation of any of the provisions of the foregoing sections relating to civil service and appointments thereunder shall be a misdemeanor, and any official found guilty of such offense may be punished by a fine not exceeding five hundred dollars.

SEC. 122. The civil service board as at present organized shall continue until January, 1902, when, and biennially thereafter, said board shall elect from its members a president. It shall also choose a secretary, whose duty it shall be to attend all meetings of the board, keep correct records of the same, prepare and keep on file in the office of the controller lists of those eligible for the several departments and clerical positions, send out official notices, and perform such other official duties as may be required of him by the said board. He shall receive such salary as the board may fix, not to exceed five hundred dollars per annum. Said president and secretary shall hold their respective offices for two years from the date of their election and until their successors are duly elected and qualified.—As amended by act approved March 21, 1901.

SEC. 123. It shall be the duty of the secretary of said board to certify to the controller all lists of those eligible for appointment, giving names, ages, street addresses, nationality, examination grades, and to what positions each one is eligible. Such certifications shall be made within twenty-four hours after such lists shall have been made out by the board. Said secretary shall also place

a duplicate copy of each of such eligible lists, within twenty-four hours after it shall have been made out by the board, in a position in the office of said controller easily accessible to the public, and shall keep each of such lists on file at least six months from and after the date of its origin.

SEC. 124. Public notice shall be given of all competitive examinations required under the several foregoing sections by one advertisement inserted in each of the daily newspapers issued in the city of New Haven, which advertisement in each of said papers shall be not less than five days prior to the date set for each of such examinations so advertised.

COURT OF COMMON COUNCIL.

SEC. 125. There shall be a court of common council in said city, consisting of a board of aldermen, which shall include all of the aldermen, and a board of councilmen, which shall include all of the councilmen, which boards shall meet separately, and said court shall, with the approval of the mayor, or over his veto, as hereinbefore provided, exercise all of the powers conferred upon said city, except as otherwise provided.

SEC. 126. At the beginning of each municipal year, each of said boards of the court of common council shall elect, from among its own members, a president, who shall preside at the meetings of his board. In case of the death, resignation, removal, absence, or disability of its president, either board may elect a president *pro tempore*.

SEC. 127. Regular meetings of said boards shall be held at such times as may be fixed by the city ordinances; and said boards may be especially convened at any time by the mayor, and, upon a petition of the majority of either of said boards, in writing, filed with the city clerk, a meeting of such board shall be called. Said board may determine the rules of its proceedings, in conformity with the general principles of parliamentary law, punish its members for disorderly behavior, and, by a vote of three-fourths of its members, expel a member for due cause. A majority of all of the members of each of said boards shall constitute a quorum for the transaction of business, and the vote upon any question shall be taken by yeas and nays at the request of one-fifth of the members present.

SEC. 128. Whenever any meeting of either of said boards shall have been regularly called and no quorum shall be present, those members present may, by vote, request the mayor of said city or the presiding officer of said board to issue, and, upon such request, the said mayor or presiding officer shall issue a warrant signed by him, directed to the city sheriff of said city, or to the sheriff of New Haven county, or some one of his deputies, to arrest and bring into such meeting such members of said board as will, together with those present, constitute a quorum; and, at any meeting of said board, those members shall have the power to make any orders to compel the attendance of other members, and any one of the officers above mentioned shall obey such orders, upon request, and summon such assistance as may be necessary to carry such orders into effect. Each of said boards may also appoint a page, at a salary not to exceed fifty dollars per annum, who shall attend all the meetings of said board, and perform such other duties as may be required of him by said board.

SEC. 129. No by-law or ordinance shall be put upon its passage in the board of aldermen until it shall have been printed for examination, and no by-law or ordinance shall be put upon its passage until it shall have been referred to and reported by a suitable committee after a public hearing. No other vote, resolution, or measure, except reports from the director of public works concerning assessments, shall be put upon its passage, except by unanimous consent, until it shall have been referred to and reported by a suitable committee after a public hearing, nor until, after the report of such committee, it has been twice read to said board. But the second reading of such vote, resolution or measure shall not take place until at least one week has elapsed from the time of the first reading, unless the mayor shall send to said board a special message reciting that the particular vote, resolution, or measure is of an emergency nature and that immediate action is necessary, in which event such second reading may take place upon the same day of the original reading, and the printing of the same be dispensed with. Every such vote, resolution, or measure shall, after the same has been reported by an appropriate committee, be printed for examination at the request of one-fifth of the members present, except in the instance of an emergency message from the mayor. No ordinance shall be of force or effect until it shall have been published at least three times in all of the daily papers published in

said city, nor until one week after its enactment.—As amended by act approved June 14, 1903.

SEC. 130. All elections to any office or position within the gift of said court or either of said boards shall be made by *viva voce* vote, except as herein otherwise provided.

SEC. 131. The presiding officers of the board of aldermen, board of councilmen, of the several committees of said boards, and of the several boards of commissioners, and the director of public works, shall respectively have power to compel the attendance and testimony of witnesses before their respective boards, committees, and departments over which they preside, by the issue of subpoenas and the administration of oaths in the manner and according to the rules governing the same in courts of justice; and when it shall be necessary to secure the attendance or testimony of witnesses before said boards, committees, departments, or director of public works, such presiding officers and such director of public works shall have the right to apply to the court of common pleas, or to the superior court, for an order compelling any witness so summoned before them to testify; which courts shall have the power to issue subpoenas and to enforce the presence and testimony of all witnesses summoned, in the same way and to the same extent as they now have power to enforce and compel the presence and testimony of witnesses in each of said courts.

SEC. 132. The city of New Haven shall be a highway district, and the court of common council shall have sole and exclusive authority and control over all streets and highways, now or hereafter existing within the limits of said city, and shall have sole and exclusive power to lay out, make, or order new highways and streets within the limits of said city, and to alter, repair, and discontinue all highways and streets now or hereafter existing within the limits of said city. No person shall open, within the limits of said city, any public or private way, except under and by virtue of an order of said court of common council. Said court of common council is hereby authorized and empowered to order, lay out, construct, repair, and alter public squares, parks, streets, highways, sewers, gutters, drains, bridges, and walks, except as herein otherwise provided, whenever and wherever, in the opinion of said court of common council, the public good shall so require, and to order the paving, macadamizing, or other improvement of any street, alley, or highway within said city. Said court of common council

is also authorized and empowered to construct and maintain wharves and docks; *provided*, that no wharf or dock shall be extended beyond the harbor line; and if, in the construction of any such wharf or dock, it is necessary to take any of the rights or property of individuals, and it cannot agree with said individuals upon the price to be paid for the same, they may exercise all the powers of eminent domain. The department of public works shall execute, and is hereby empowered to execute, all orders of the court of common council with reference to the matters contained in this section. The court of common council may, upon the execution of any order for the paving, macadamizing, or other improvement of any street or highway within said city, or upon the construction or alteration of any public sewer or other public work, assess upon the persons whose property is in the judgment of said court especially benefited thereby, after reference to the board of compensation, and report thereon, as hereinbefore provided, a proportional and reasonable part thereof, and shall estimate the particular amount of such expense to be paid by every such person upon such assessment. In estimating such reasonable part of the expense of any sewer, the cost of constructing any main or trunk sewer, into and through which such other sewer is discharged, may be taken into consideration.

SEC. 133. The court of common council of said city is hereby authorized and empowered to take, occupy, and appropriate, for the purpose of drainage and sewerage of said city, at such times and in such manner as the health and convenience of said city may, in the opinion of the court, require, any and all water-courses, natural and artificial, or any portion thereof, within said city, except West river, which may be used solely for the purpose of receiving storm overflow from the Boulevard sewer; to deepen, clear out, alter, or straighten the same, or any portion thereof, for the purposes aforesaid; to establish the bounds thereof within which it shall not be lawful for any person to place any building, part of a building, wall, dam, or obstruction, without a special license from said court of common council first had and obtained; to remove all buildings, parts of buildings, walls, dams, earth, stones, rubbish, and obstructions of every kind that may be situated within the bounds of said water-courses, to be designated as aforesaid; to construct sewers or other artificial channels for the flow of said water, and to remove all obstructions to the passage of water

in the said water-courses, sewers, or channels; also to raise, fill up, and drain low grounds.

SEC. 134. Said court of common council shall have supervision over all bridges crossing railroads in said city, and may, from time to time, order the building, widening, or repairing of such bridges in such manner and within such times as in its judgment public convenience may require; and in case any railroad company, whose road is crossed by such bridge, shall neglect to obey such order, said court of common council may cause the required building, widening, or repairing to be executed at the expense of said city, and the treasurer of said city may then collect the amount of such expense from such delinquent company. Any order of said common council made hereunder shall be subject to appeal to the superior court by any railroad company affected thereby, by notice to said city of such appeal, given within thirty days from the service of such order upon such railroad company.

SEC. 135. Said court of common council may take by the right of eminent domain, in the name of the city, any property or property rights which may be needed for the purpose of laying out, extending, or widening any street, or park, or for the purpose of constructing or protecting any sewer, drain, or other property, or for the purpose of any public building, or for the successful prosecution and management of the almshouse and the property connected therewith, upon payment of just compensation under the rules governing the right of eminent domain.

SEC. 136. The director of public works shall provide for the watering and sprinkling of all streets and highways within the original twelve wards of said city, and shall provide in like manner for the watering and sprinkling of the streets and highways for the remaining portion of said city whenever the same shall come under the full jurisdiction of said city in accordance with the provisions of the charter of said city. Within the distance along any street or highway to be watered under the authority of this section, so much of said street or highway from side to side, shall be watered as shall be ordered by said director of public works. The actual cost of watering the whole or any part of any street or highway under this section shall be paid, except as hereinafter provided, by said city. Every street railway company operating a street railway upon any part of a street or highway shall itself sprinkle with water so much of the width of said part of said street or highway as is included

within its tracks and a space of two feet on the outer side of the outer rails thereof, such sprinkling to be done at such times and in a manner satisfactory to the director of public works. Said city shall furnish the water used by such company for sprinkling, free of expense to such company. And said director of public works shall have power to contract with any street railway company, or with any person or persons, for the sprinkling with water of the streets and highways to be watered under this act; and said director of public works shall have the power to obtain and furnish, to such street railway company, or other person with whom it has contracted, under this section, water to be used in sprinkling the streets or highways in said city. Should any street railway company fail to sprinkle the streets or highways over which its lines are operated, as provided in this section, in a manner satisfactory to the director of public works, said director of public works shall provide for the sprinkling of such streets or highways for the remainder of the season, and the court of common council shall assess against the property of such railway company the actual cost of watering such parts of the streets or highways as have been neglected by such street railway company. The assessment upon the property of such railway company shall be made in the manner provided for assessing benefits occasioned by public works in said city, and shall be collected in the same manner that city taxes are collected.

Such assessments shall be and remain a lien upon the land or other property assessed by said court of common council as aforesaid; *provided*, that such lien shall not remain for a longer period than sixty days after such actual expense has been ascertained, and the owner of such property notified, unless the tax collector shall file with the town clerk of the town of New Haven a certificate signed by him describing the property on which the lien exists and the amount claimed as a lien thereon; and the city of New Haven may collect the amount assessed against any street railway company in accordance with the provisions of this act by suit at law in any proper court. The assessments for street sprinkling, for sewers, and for street pavements, under the act on page 565 of the special acts of 1895, and the amendments thereto, need not be advertised in any newspaper, but all such assessments shall be valid and of full force whenever the city clerk of said city shall have deposited in the post-office a letter or postal card addressed to the owner of the abutting property and to the street railroad company.

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against which any assessment may have been laid, notifying such owner or railroad company of the amount of any such assessment. —As amended by act approved June 17, 1901.

SEC. 137. The court of common council shall have power by majority vote of all the members of each branch thereof, present or absent, with the written approval of the mayor, or over his veto, as herein provided, to make, alter, and repeal orders or resolutions not inconsistent with law or with the provisions of this act; to enact, alter, or repeal ordinances to be called the Ordinances of the City of New Haven; and to prescribe penalties not exceeding a fine of one hundred dollars for any violation of the same, and the mode of enforcing such penalties; which orders, resolutions, or ordinances may be for any of the following purposes, to wit:

(a) To manage, regulate, and control all city property; to authorize the purchase or sale of property in the name of the city; and to provide for the form and manner of making contracts; to regulate the collection and enforcement of taxes and liens and the borrowing of money by the city for any purposes for which said court is authorized to lay taxes; and to provide for the adjustment of claims against said city, and for the payment of the same.

(b) To preserve the public peace and order; to prevent and quell disorderly assemblages; to punish the resistance, hindrance, or obstruction of public officers in the discharge of their duty; to prevent vice; to suppress gambling houses, houses of ill-fame, and disorderly houses.

(c) To protect said city from fire and unsafe buildings, and to regulate the construction and materials of buildings, and the use of property so as to prevent the starting and spread of fire; to regulate the cleansing of chimneys; to establish and designate districts of said city as fire districts within which it shall not be lawful to erect, enlarge, or elevate, or within which it shall not be lawful to remove any wooden buildings except by license issued in such manner as said court of common council may provide; to prohibit the erection or use and require the destruction or repair of unsafe buildings; to regulate and provide for the safe and convenient egress in the case of fire or other accident from theaters or other buildings designed in whole or part for public use; and to prohibit manufacturing, keeping, and sale of firearms, explosives, and inflammable materials, or the conveyance thereof through the streets of said city; to regulate the erection and use of stationary

and portable steam boilers, and to license competent persons to manage the same; to make, maintain, and regulate public hydrants, and to provide the same with water; to protect the same from injury, and to prevent an unnecessary waste of water; to protect from injury fire alarm telegraphs in said city; to regulate the use and construction of electrical plants and wires on which electricity is conducted within said city; and to protect public gas and other public lamps therein.

(d) To establish building lines in the streets and ways of said city beyond which it shall not be legal to erect buildings or other structures; to provide for the laying out grading, discontinuing, altering, paving, opening, improving, lighting, and making and repairing highways, streets, walks, squares, parks, public buildings, drains, sewers, gutters, and for the numbering of streets, and for the draining and raising of low lands.

(e) To provide for the compensation of the owners of such property as may be taken by the city for public uses; and to provide for the foreclosure of all liens legally laid and filed.

(f) To make, repair, purify, light, and keep open and safe for public use and travel, and free from encroachments or obstructions all streets and public highways, grounds, and parks, or any part thereof; to require sidewalks to be kept free from ice and snow; to regulate all shows, processions, assemblages, or parades in the streets and public places.

(g) To regulate the speed of animals, bicycles, street cars, and all other vehicles; and to regulate the cleaning of their tracks by street railway companies.

(h) To regulate or prohibit the running at large of animals in the streets or public places, and to provide for impounding the same.

(i) To license and regulate public hacks, carriages, carts, sleighs, trucks, or other public conveyances, and the charges for the use thereof; to regulate and prohibit the excavation and opening of streets, highways, and public grounds for public and private purposes, and the regulation of any work or thing therein, whether temporary or permanent, upon or over the surface thereof, and the removal of buildings through the same; to regulate the laying of gas pipes, water pipes, and drains for public or private purposes in the streets of said city; to prevent any and all persons in said city

from loitering on the streets or any part thereof, in or about entrances to public or private buildings.

(j) To license and regulate bill posting and similar occupations.

(k) To prevent the committing of trespasses and nuisances in gardens, enclosures, cemeteries, and public places.

(l) To provide for the health of the city and to prevent and summarily abate nuisances of any kind; to establish quarantine regulations; to regulate the burial and disinterment of the dead.

(m) To regulate the planting, protection, and removal of trees.

(n) To prevent nuisances and summarily abate the same at the expense of the person maintaining them; to prevent the erection or use of any building within said city for the purpose of carrying on therein any trade, manufacture, or business, which in the judgment of said court of common council shall be prejudicial to the public health or considered an unnecessary annoyance to those living or owning property in the vicinity.

(o) To provide for the inspection of food of all kinds offered for sale, and to regulate the sale thereof.

(p) To regulate trade, markets, and commerce, and weights and measures in conformity with the lawful standards thereof; to prohibit, license, or regulate dealing in fruit, and the peddling of merchandise in the streets of said city; to license or regulate all sports, exhibitions, public amusements, and performances, and billiard and bowling saloons in said city.

(q) To authorize a census of the city; and to receive such gifts, donations, and bequests for public purposes and public trusts as may be accepted pursuant to the terms in section 162, and to agree to the conditions and terms accompanying the same.

(r) To regulate the direction and construction of street railroads pursuant to the general laws of the state; to prescribe the duties of all officers and employes of every sort not expressly defined by the provisions of this act.

(s) To require bonds from all persons undertaking work of dangerous character, to protect the city from any loss by reason of their acts or defaults.

(t) To provide for the sprinkling of streets or parts thereof, by the city, or for the assessment of the cost thereof against the street railroad company or companies occupying the street.

(u) To require owners of property to bring connections with gas, water, sewer, and other pipes inside of their curb lines before

permanent improvements in the street are made, and to provide for the restoration of the surface of the street to its former condition.

(v) To license, tax, and regulate branch stores and other concerns established for temporary purposes only.

(w) To restrain and punish vagrants and beggars; and to prevent cruelty to animals.

(x) To provide for the manner of warning the city elections and meetings of the court of common council and times of holding the same; to provide for the filling of vacancies which may occur in any office, except as otherwise provided; to provide for the appointment or election of such employes as are not otherwise provided for and as may be required for the proper transaction of the business of the city, and to prescribe their duties and compensation; to provide for the removal or expulsion of any city officer on account of corruption, misfeasance, or malfeasance in office, in addition to the methods herein provided; to provide for the appointment of special constables.

(y) To regulate the conduct of elections, subject to the provisions of the general election laws of the state, pursuant to which all city elections shall be held.

(z) To do all things necessary to make effectual the powers herein and by law conferred upon such city, except as herein otherwise provided.

SEC. 138. Said court shall have power to prescribe the manner of enforcing the penalties for violation of ordinances enumerated in the foregoing sections, and the rules of the department of public health, and the rules of the department of parks by a civil action or forthwith process as in criminal cases.

REMOVAL OF OFFICERS.

SEC. 139. Municipal officers shall be liable to removal from office for any corrupt act or practice, malfeasance, mismanagement, mental incapacity, or incompetency for the proper performance of official duties, willful abuse of power, gross neglect of duty, extortion, receiving any gift or present from any contractor, or from any person seeking or engaging in any work for or furnishing material to the city, or from any incumbent or occupant of or can-

didate or applicant for any municipal office, for willfully concealing any fraud committed against the city, for directly or indirectly furnishing material or performing work other than his official duties for the city, for giving bond for any person holding a license for the sale of liquor within said city, or for any person having a contract with said city, or for the willful violation of any requirement of the charter or ordinances.

SEC. 140. Complaint in writing may be made to the superior court for New Haven county, by not less than twenty freeholders of said city, each of whom shall write his occupation and address opposite his signature, charging any municipal officer with any offense, setting forth facts on which said charge is founded, supported by the oaths of at least five of the complainants, according to the best of their knowledge, information, and belief. If, in the judgment of the court, there appears to be reasonable ground for such proceeding, the court shall direct the complaint to be filed of record, and make an order upon the accused returnable on a day certain and within ten days from the date thereof, to appear and answer said complaint, which order, with copy of said complaint, shall be forthwith served upon the accused, or left at his last known place of residence. If, on the return day of the order, the court shall find sufficient cause for further proceedings, it shall fix a time within sixty days for a full hearing of said complaint.

SEC. 141. Said court shall then cause notice to be forthwith given to the state's attorney for New Haven county that said complaint is pending; and it shall be the duty of said state's attorney to conduct the prosecution of said complaint, and said court shall make him a reasonable allowance for his services and expenses, which shall be paid by said city. The state's attorney may make such amendments to said complaint as he may deem best, provided that a copy of such amendments shall be served upon the accused, or left at his last known place of residence, at least twenty days before the time fixed for said hearing. Said court shall proceed with said hearing to final judgment with as little delay as possible. If the court shall find any charge in said complaint proven, and if it shall deem the offense sufficient, it shall enter judgment removing the accused from office, and the person so removed shall not be eligible to any office under said city government for a term of five years from the date of his removal. At any time after the charges are first brought to the attention of the court, it may, if in the

judgment of the court sufficient reason exists for so doing, suspend the accused from office until it makes further order in the premises.

SEC. 142. One or more of the persons bringing such complaint shall give bond with surety to the satisfaction of the clerk of the superior court, in the amount of five hundred dollars, conditioned for the payment of such costs and charges as may be required of the complainants by the order of the court. If, after final hearing, the court shall be satisfied that no sufficient reason existed for the bringing of said complaint, it may require of the complainant the payment of such sum as it may deem best, not exceeding five hundred dollars, which amount may be paid to the accused as an allowance for the expenses of his defense, or to said city for its expenses, or the sum allowed may be divided between the accused and said city, as the court may in its discretion order.

SEC. 143. Nothing contained in the last four sections shall be construed to limit or change any of the powers or duties concerning the removal or suspension from office of officers or employes of said city, as defined in other provisions of this act, nor shall anything in said section prevent any city official from being prosecuted for the violation of any criminal law of this state or of any ordinance of said city.

SEC. 144. No witness shall be excused from testifying in any criminal proceeding, or in any investigation or inquiry authorized by this act, touching his knowledge of any offense committed against the provisions of this act. But such testimony shall not be used against him in any criminal prosecution whatever, and the accused shall not be convicted of any offense specified by this act, in any court, on the testimony of an accomplice, unless the same be corroborated by other evidence or by the circumstances of the case.

MISCELLANEOUS PROVISIONS.

SEC. 145. All officers of said city, unless prevented by death, inability, or suspension, or removal, shall hold their respective offices until their successors shall be chosen and shall have duly qualified.

SEC. 146. Every officer of said city chosen by the electors or appointed by the mayor or by the court of common council shall be a resident elector of said city. Nothing herein contained shall pre-

vent the appointment of a woman to the board of education, nor shall this section apply to clerical assistance.

SEC. 147. No person shall be chosen by the electors of said city to fill any office of the city or town who is not nominated for said office at least ten days before the day of the election at which he is to be voted for; *provided, however*, that, if any person who shall have been nominated for any such office shall die or refuse to accept the nomination before the election at which he was to have been voted for, a new nomination may be made at any time before such election. The only legal evidence of any nomination shall be the written statement, or a duly certified copy thereof, filed with the city clerk, signed by the authorized representatives of the party or persons by whom such nomination is made. No person elected to any office in violation of the provisions of this section shall be deemed legally entitled thereto.

SEC. 148. On or before the tenth day of October in each year, each department, and every executive officer, not connected with any department, shall submit to the board of finance an estimate of the expenses of such department or office for the ensuing year, beginning on the first day of January next following, stating in detail, so far as possible, the purposes for which such expenses will be incurred.

SEC. 149. Whenever any office of said city, filled by appointment, shall become vacant by reason of the death, resignation, inability, disability, or removal of the person appointed to fill the same, said vacancy may be filled by the authority which made the former appointment. If said last incumbent was appointed for a definite term, his successor shall be appointed for the unexpired portion of said term.

SEC. 150. All taxes laid by said city or town or the New Haven city school district, on the grand list of 1905, shall become due and payable on the first day of April, 1906, and all taxes thereafter laid by said city or town, or by the New Haven city school district, shall become due and payable on the first day of April next after they are laid; and if any of said taxes now or thereafter laid remain unpaid on the first day of August next after they become due, interest shall be collected thereon from the date when they became due until they are paid, at the rate of nine per centum per annum. As amended by act approved June 21, 1905.

SEC. 151. All liens which are now recorded against property in said city shall bear interest from the date when this act takes effect at the rate of six per centum per annum, and all liens which shall hereafter be placed upon property shall bear interest at the rate of six per centum per annum from the date when the certificate of lien is filed with the town clerk.

SEC. 152. Every officer of said city shall, before entering upon the duties of his office, make oath in the following form, namely: I solemnly swear (or affirm) that I will faithfully and impartially perform the duties of the office of to the best of my ability and according to law, and that I will at all times strive to use the power entrusted to me as such officer for the best interests of the city.

SEC. 153. No officer or employe of said city shall directly or indirectly furnish any material to said city, or be directly or indirectly employed to do any work (except his official duty) for said city. All officers of said city shall serve without pay, except as otherwise expressly provided.

SEC. 154. No public improvement of any kind shall be ordered by the court of common council, or other authority having power to authorize the same, until an appropriation for said improvement has been duly made.

SEC. 155. The bonds of all city officers shall be taken to the city of New Haven, conditioned for the faithful performance of the duties of the office according to law. The form of each bond shall be to the satisfaction of the board of finance, and no person or corporation shall be accepted by said board of finance as surety on such bond except some corporation authorized by the law of this state to give bonds and become surety for bonds of municipal and other officials. The expense of all bonds required by this act shall be paid by the city.

SEC. 156. All contracts to be made or let for work to be done or for supplies to be furnished to said city, except for the furnishing of light, water, or telephone service, and except as in this act otherwise provided, and all sales of personal property in the custody of the several departments, boards, or officers of said city shall be made by the departments, boards, or by the officers having the subject matter in charge. Whenever any work is necessary to be done to execute or perfect a particular undertaking, or any supply is needful for any particular purpose, and the several parts of said

work or supply shall together involve the expenditure of more than two hundred and fifty dollars, a written contract for such work or supply shall be made, under such regulations as the court of common council may by ordinance establish, and under the rules of the department, board or office in question, which contract shall be founded on sealed bids or proposals, except for architect's services or where the supplies or the work needed can only be furnished by one party, made in compliance with public notice, duly advertised by publication, at least ten days before the time fixed for opening said bids or proposals. If the department, board, or the officer in question shall not deem it for the interest of the city to reject all bids, the department, board, or such officer shall award the contract to the lowest responsible bidder; *provided, however*, that if the department, board, or officer in question shall not deem it practicable or for the best interests of the city to proceed as above required for any particular work or the obtaining of any particular supply, a written statement to that effect shall be made, giving reasons and the manner in which, in the opinion of said department, board, or officer, the work should be done, or the supply obtained, and submit the statement to the court of common council, which shall take such action in the matter as it shall decide to be for the best interests of the city; *provided, however*, that all street cleaning, general repairs, and general maintenance of the highways in said city may be performed at the expense of said city under the supervision of the proper department thereof without calling for any bids or making any contract.

The form of each contract, which shall include the specifications, shall be approved by the corporation counsel, and the contractor shall give security to the satisfaction of the mayor and controller for the faithful performance of his contract. All bids or proposals shall be publicly opened by the department, board, or officer advertising for the same, in the presence of the controller; but the opening of bids shall not be postponed if the controller shall, after due notice, fail to attend. If the lowest bidder shall neglect or refuse to accept the contract within five days after written notice that the same has been awarded according to his bid or proposal, or if he fail to execute his contract or to give proper security, it may be re-advertised and re-let in the manner provided, or, with the written approval of the mayor, filed for public record with the city

clerk, said contract may be awarded to the next lowest responsible bidder. If any work shall be abandoned by any contractor, it may be re-advertised and re-let in the manner provided for in the original contract, or, with the written approval of the mayor, such department, board, or officer, may cause said work to be finished without making a new contract, and the original contractor shall be liable to the city for any excess in the cost of said work over the amount of the original contract. No bid shall be accepted from or contract awarded to any person who is in arrears to the city upon debt or contract, or who is a defaulter as surety or otherwise upon any obligation to the city. Three copies of every contract shall be executed, and one of the original copies thereof shall be filed in the controller's office.

Whenever proposals for furnishing supplies or doing work are invited by advertisement by any department, board, or officer, such department, board, or officer shall require, as a condition precedent to the reception of any proposal, the deposit with such department, board, or officer of a check, drawn to the order of the controller and certified by some reliable bank.

Such checks shall accompany the proposal and be for an amount of not less than five per centum of the amount required by said bid to be paid by the city for the proposed work to be done or supply to be furnished. Within three days after it is decided who is the lowest responsible bidder the controller shall return all such checks to the persons depositing the same, except the check deposited by the lowest responsible bidder for such contract; and if the said lowest responsible bidder shall refuse or neglect, within five days after due notice that the contract has been awarded to him, to execute the same, the amount of the deposit made by him shall be forfeited to and retained by the city as liquidated damages for such neglect or refusal, and shall be paid into the treasury of said city; but if said lowest responsible bidder shall execute the contract within the time aforesaid, the amount of his deposit shall be returned to him.—As amended by act approved June 17, 1901.

SEC. 157. Each department and each executive officer is hereby empowered to employ clerical assistants when necessary, and to purchase necessary supplies, subject to the provisions of this act and to the approval of the board of finance as to salaries and number of assistants.

SEC. 158. The several departments and executive officers shall annually, on or before the fifteenth day of February, submit to the mayor a report of their proceedings during the fiscal year preceding, with a detailed statement of their receipts and expenditures, and such further additional information as to their proceedings, receipts, and expenditures, between the first day of January and the first day of May, as the mayor may require, and the mayor shall transmit the same to the court of common council within ten days after receiving the same, with any recommendation which he may think proper.

SEC. 159. All sinking funds heretofore established by law are hereby continued for the purpose for which such funds were established, and the powers and duties of the commissioners of said funds are hereby confirmed. Each of said commissioners, whether now in office or hereafter appointed, shall give bonds to the city in such sums and with such sureties as may be approved by the board of finance. But no person or corporation shall be accepted by said board of finance as a surety on such bond except some corporation authorized by the laws of this state to give or become surety for municipal and other officials.

SEC. 160. It shall be the duty of every officer of said city, upon the expiration of his term, to deliver over to his successor in office all books, vouchers, papers, and memoranda under his control affecting the business of said city.

SEC. 161. No person shall hold any office under the city, or any department thereof, the compensation for which is a salary, while holding any other official position in or under the government of this city, the compensation for which is a salary. No person shall be appointed a member of more than one appointive board or commission to which a salary is attached.

SEC. 162. The city shall have power to accept gifts and to administer trusts for hospitals and dispensaries and for all purposes for which said city is authorized or required to expend money, and for no others.

SEC. 163. No officer of said city, or of any ward thereof, or of the New Haven city school district, whether elected or appointed, shall take or receive any money, article, thing, advantage, or promise thereof, as consideration for any vote or act in his official capacity, or for any neglect to vote or act in such a capacity, or for making or consenting in such a capacity to any award of any con-

tract, or to any appointment to or removal from any office or place. Any person offending against any of the provisions of this section shall, upon conviction thereof, be punished by imprisonment for a term of not less than three months nor more than one year.

CITY COURT.

SEC. 164. There shall be and hereby is established a court for the trial of cases in the city and town of New Haven, which court shall be designated and known as the city court of New Haven.

SEC. 165. The judge and associate judge of said court shall be appointed by the general assembly and shall severally hold office for the term of two years from and after the first day of April following their appointment and until their respective successors shall have duly qualified. The judge of said court shall appoint a city attorney, an assistant city attorney, a clerk, and two assistant clerks of said court, each of whom may be removed by said judge for cause, and each of whom shall hold office during the term of the judge appointing him, unless sooner removed and until his successor is duly appointed and has qualified. The judge and associate judge shall take the oath provided by law for the judicial officers. No person who is not a resident and elector of the city of New Haven shall hold any office in said court. No official of said court shall act as attorney in either the civil or criminal part of said court except in the discharge of his official duties.—As amended by act approved July 6, 1905.

SEC. 166. The associate judge shall have and exercise all the jurisdiction and powers conferred on said judge, in addition to the concurrent power granted said associate judge by this act. In case of the absence of said judge and associate judge, or of the inability or disability of both to discharge the duties of said office, the clerk of said court shall, in writing, request any judge of the court of common pleas, or of any city court in this state, to act in the place of such judge, and, while so acting, he shall have and exercise all of the powers conferred on the judge and associate judge of the city court until one of them shall have returned or until such inability or disability shall have been removed. Any judge so called upon shall receive from the city of New Haven, in addition to his actual

and necessary traveling expenses, the sum of eight dollars for each day for actual service in said court.

SEC. 167. The clerk and the assistant clerks of said court shall take the oath prescribed for clerks of courts in this state. Each of them shall execute a bond to said city in the penal sum of five thousand dollars, in form and with security satisfactory to the board of finance of said city, conditioned for the faithful performance of his duties according to law, and said bonds shall be deposited with the controller. But no person or corporation shall be accepted by said board of finance as a surety on such bonds except as authorized in section 159 of this charter. The assistant clerks shall each have all the powers and may perform all the duties of the clerk, subject to his direction.—As amended by act approved July 6, 1905.

SEC. 168. The clerk shall keep the civil files and records of said court, and in general shall have and exercise all the powers and discharge all the duties pertaining to civil matters pending in said court which belong to or are discharged by the clerks of the superior court in like cases pending therein, so far as the same are applicable to said court. He shall collect the same fees in civil matters as are herein provided, and all fees, costs, fines, and other sums coming into his hands in criminal cases shall be paid into the treasury of said city for the use of said city, except that he may pay from the funds in his hands the costs and fees in criminal cases to the persons entitled to receive the same, and any necessary expenses of said court which shall have been approved by said judge, taking receipts for such payments, and shall report to the court monthly all fees due and unpaid. He shall account to the controller of said city monthly for all moneys by him received under the provisions of this act, and his disbursements thereof, and pay all balances in his hands at said times of accounting into the treasury of said city, except such sums as may be necessary for him to retain to pay said costs, fees, and expenses to the persons respectively entitled thereto; *provided*, that no fees in criminal cases shall be paid to or received by any paid member of the police force of said city for any service whatever, as a witness or otherwise; *and provided further*, that no person shall be entitled to receive any costs or fees unless demand shall be made therefor within ninety days after the same shall have been taxed. Said clerk may draw orders on the city treasurer for such sums as may be necessary to pay all the fees, costs, and ex-

penses of said court which have accrued and are payable by him, and it shall be the duty of said city treasurer to pay such orders on the treasury when countersigned by the judge, and said clerk shall return to the controller each month a detailed statement under oath, of his official receipts for the month preceeding, under the following heads, to wit: From fines, from jail, from the superior court, and from other sources; also a detailed statement under oath, of his official disbursements, and of the amount paid over to the city treasurer by him for the same period. Said clerk shall, with his monthly account rendered to the controller, file a certified statement of the civil sessions during the month.

SEC. 169. Said clerk shall keep the criminal files and records of said city court, and shall, within ten days after any appeal or binding over in criminal cases in said court, deliver to the clerk of the court to which the appeal is taken, or the person is bound over, a copy of the files and records of the case. He shall receive all fees and costs imposed by said court in criminal cases which are paid before commitment, and all fees and costs paid after commitment to the keeper of the jail, workhouse, or other place where the offender is confined, shall be paid by such keeper to the clerk. Said clerk shall also receive all sums taxed in the higher courts for costs before said city court, and for copies in cases coming from said city court to said superior court or criminal court of common pleas by appeal, binding over, or otherwise.

SEC. 170. The office of the city attorney shall be open from eight o'clock in the forenoon until eight o'clock in the evening on all days except Sundays and legal holidays, and the office of the clerk of the city court shall be open from nine o'clock in the forenoon until five o'clock in the afternoon, and the offices of city attorney and said clerk of said court shall be in the building where said court is held.

SEC. 171. The officers of said court shall, respectively, receive the following salaries in full for all services required of said officers: The judge, twenty-five hundred dollars; the associate judge, twenty-five hundred dollars; the city attorney, three thousand dollars; the assistant city attorney, twenty-five hundred dollars; the clerk, twenty-five hundred dollars; two assistant clerks, one thousand dollars each. The judge of said court may also appoint an official stenographer, whose compensation shall not exceed twenty dollars per week, who shall perform the duties required by the

judges, in civil and criminal cases, and also perform such duties as stenographer and typewriter for the officials of the court as the judge may designate. Said compensation shall be in full for all official duties of such stenographer, including the furnishing of transcripts of testimony to the court and the city attorney when required; but when required by any party of record to furnish a transcript, the stenographer may charge such party compensation not exceeding that fixed by law for copies made by the official stenographer of the superior court. All fees collectable by law by the clerk of the city court shall be collected by the clerk and accounted for and paid over with other moneys of said court to the city treasury. Said fees may be demanded before a cause is entered or judgment is recorded, and no clerk shall be required to continue any cause on the docket or to enter or record any judgment therein, or to issue any execution or any judgment until all court fees, clerk fees, and stenographer's fees already due shall have been paid.—As amended by act approved April 5, 1905.

CIVIL JURISDICTION.

SEC. 172. Said court shall have concurrent jurisdiction over all civil causes, both at law and in equity, wherein any of the parties reside in said city or town, except suits wherein the title to, or right to possession of, or easement in land situated outside of the limits of said city or town is to be tried and determined, and except civil actions for injury to such title or right; *provided*, that in any civil cause wherein the debt, damage, or matter in demand exceeds one hundred dollars in amount or value, any defendant residing out of said city or town may, with the written assent of the rest of the defendants, when there are more than one, remove said cause to the next court of common pleas or superior court for New Haven county; *provided*, said cause would have originally been within the jurisdiction of the court to which the same is removed, upon his written motion filed within three days after the return day of the writ, and upon filing therewith his affidavit that he has a *bona fide* defense and that such removal is not intended for delay, which affidavit shall form a part of the files and records of the cause; and upon the granting of such motion the clerk of the city court shall deliver the original files in the said cause, with his certificate of

removal thereon, to the clerk of the court to which it is removed, who shall forthwith enter the same upon the docket of said court, to be in all respects proceeded with as though it had been originally brought to said court, and no attachment, lien, bail-bond, or other security previously had or given shall be affected by such removal; *provided further*, that any defendant aggrieved by any judgment or decree rendered by said court in any cause which was originally within the jurisdiction of the superior court, may appeal to said superior court, except in a case of a trial by jury upon his own motion.

Said appeal shall be taken to the next return day or the next but one of the superior court, and such defendant shall file a written notice of appeal, and a bond to the adverse party in the sum of one hundred dollars, with surety satisfactory to said city court to prosecute such appeal to effect, and answer all damages if he make not his plea good, within forty-eight hours after such judgment shall have been rendered, unless said city court shall, on motion, extend the time for filing the same. The clerk shall, within ten days after the filing of such bond and notice, deliver a true and attested copy of the files and records of the cause to the clerk of the superior court, who shall enter said cause on the docket thereof, and said cause shall thenceforth be proceeded with in all respects as in case of appeals from the judgment of justices of the peace. The party who shall finally prevail in said cause shall recover all costs taxed in said city court.

Said city court shall not have power to issue writs of mandamus, prohibition, *quo warranto*, *ne exeat*, or *habeas corpus*.

SEC. 173. Said court shall have the same authority in cases of bastardy that is or may hereafter by law be exercised by justices of the peace in the town of New Haven. Said court shall have power and authority to issue search warrants to be served in said town of New Haven, and the proceedings in reference to such search warrants shall in all respect be the same as in reference to search warrants issued by justices of the peace in the several towns. Complaints for forcible entry and detainer with reference to any houses, lands, or tenements, situated wholly within the limits of said city or town, may be made to said city court, and said court may proceed thereupon in all respects as a county commissioner and a justice of the peace may do, and all the other provisions of the statutes of this state, with reference to forcible entry and detainer, are

hereby made applicable to such cases, except that the jury shall be drawn and summoned, and costs shall be taxed as in other civil cases before said city court.

SEC. 174. All writs and other process and proceedings brought to, pending in, or issuing from said city court, shall be in form, style, subscription, and mode of authentication, similar to those in use from time to time in the superior court, and shall have the same authority and validity, and such process may be signed and issued by the authorities authorized by the general statutes to sign and issue process and by the judge or clerk of said city court, and may be served in any part of this state by any person authorized to serve like process issuing from or returnable to the superior court in like cases.

SEC. 175. The rules of practice in the superior court, both in civil and criminal causes, so far as the same may be applicable, shall govern the practice in said court until the same shall have been modified by the judge of said city court, who is hereby authorized to repeal, modify, or add to said rules.

SEC. 176. The city court of the city of New Haven shall hereafter have the exclusive jurisdiction of all civil cases now cognizable by justices of the peace for the town of New Haven, except actions of summary process and bastardy proceedings, but this act shall not affect actions now pending before justices of the peace in said town. In all actions at law where the matter in demand does not exceed one hundred dollars, the general statutes relating to the service and return of process before justices of the peace shall apply to the service and return of such process before said city court. Whenever any action is pending before said court in which the matter in demand exceeds twenty dollars in amount or value and does not exceed one hundred dollars, a jury of six shall be summoned from the duly sworn jurors of said city to try the same, on motion of either party, made within such time as the rules of said court shall provide; *provided*, that the party so moving for a jury shall enter into a recognizance with surety to the adverse party in such sum as the court shall order, conditioned for the payment of all costs in case final judgment is rendered against him. In all civil actions where the matter in demand does not exceed one hundred dollars, all taxable costs and fees, including clerk and jury fees and compensation to jurors, shall be the same as in trials before justices of the peace; in all other civil cases the costs and fees

shall be the same as in cases brought to the superior court, and in all cases formerly cognizable in equity the costs shall be at the discretion of the court, in the same manner as in causes pending in the superior court.—As amended by act approved May 12, 1905.

SEC. 177. There shall be but one term of said city court, beginning on the first Monday of July in each year. There shall be a session of said court for the transaction of civil business on the first Monday of each month, and at such other times as the judge or associate judge of said court shall direct.

SEC. 178. When a defendant who is sued in said city court in any civil action lives within the limits of the town of New Haven, the writ shall be served upon him at least six days before the day to which the writ is returnable, but if the defendant lives without the limits of the town of New Haven, the writ shall be served upon him at least twelve days before said return day. Writs may be made returnable to said court upon any Monday or Thursday; *provided*, that each writ shall be returned to the clerk of said court on or before the day preceding the one to which such writ is returnable.

SEC. 179. Either party to any civil action may put the same to a jury under like conditions and with like effect as in the superior court, unless said city court shall by rule otherwise prescribe. Said court may cause a jury to be summoned at such time as it may see fit.

SEC. 180. Whenever said clerk shall issue a warrant commanding any proper officer to summon a jury to appear before said court, such officer shall, in the presence of the judge or associate judge of said court, take out of the jury box as many papers as his warrant directs, and the persons whose names shall be found written thereon shall be summoned to appear before the court at the time in the warrant named, to serve as jurors; and in case a complete panel shall not attend, or for any reason there shall be a deficiency of jurors for the trial of any cause, such officer shall supply the deficiency by drawing, in the presence of the court, other names from said box, and summoning such persons to attend and serve, or by summoning a sufficient number of talesmen, as the court may direct, until the panel shall be complete, and the names of such jurors as do not attend or are challenged or excused shall be returned to the box and shall be liable to be drawn again.

The name of each juror who attends court and serves shall, in like manner as aforesaid, be put into another box, which said clerk shall provide for that purpose, and may be drawn again in case, for any reason, there is a deficiency in the other box to complete the panels for that year for which they are chosen to serve.

SEC. 181. Either judge of said court shall have power to try and decide all issues of fact that shall have come before said court by himself or by a jury of any number of freemen, not less than two or more than twelve, empaneled as aforesaid when both parties shall agree thereto. The oath to be taken by said jurors shall be the juror's oath now provided by law. Any juror neglecting to attend when duly summoned shall be liable to such penalties as shall be prescribed by the ordinances of said city for such neglect.

SEC. 182. The judge or associate judge of said court may require the city sheriff, or, in his absence, inability, or disability, the sheriff of New Haven county, or any one of his deputies, or any constable of the town of New Haven, to attend any session of said court held for the transaction of civil business only, and to execute the orders of said court. It shall be the duty of such officers to attend said court when required.

SEC. 183. Either the city attorney or the assistant city attorney may sue for, in any proper form of civil action, collect, and receive, in the name and behalf of said city, the penalty incurred by the breach of any ordinance of said city, or any by-law of the departments of parks or of health, now or hereafter in force; or such city attorney may enforce such ordinance by criminal prosecution, but no person shall be prosecuted both civilly and criminally for the same breach of an ordinance, and in such prosecution, civil or criminal, it shall be a sufficient description of the offense or forfeiture to set forth the act complained of and to allege the same to have been done contrary to the ordinance in such case provided. All fines and penalties collected under the provisions of the charter of said city, or of this act, shall, unless otherwise provided, be paid into the treasury of the city.

SEC. 184. From all judgments and decrees of said city court the same relief may be had by appeal as is provided by law for relief from judgments and decrees of the superior court in similar cases and in like manner.

CRIMINAL JURISDICTION.

SEC. 185. Said court shall have and exercise, within the town and city of New Haven, all the jurisdiction, authority, and powers which judges of the peace in the several towns of this state have and exercise, or shall hereafter by law have and exercise, in all matters of a criminal nature, and shall have jurisdiction and cognizance of all crimes and misdemeanors committed within said town or city, either before or after the passage of this act, the punishment whereof, inflicted by said court, shall not exceed a fine of two hundred dollars, or imprisonment in a common jail or workhouse for six months, or both such fine and imprisonment, notwithstanding any general statute to the contrary, and shall have power to proceed to trial or examination, render judgment, require sureties of the peace, bind over to the superior court in cases not within the jurisdiction of said city court, and grant warrants of commitment and execution in the same manner as justices of the peace in the several towns in this state may do in criminal cases, lawfully brought before them; *provided*, that the accused may, either during the same session at which he shall be convicted or within forty-eight hours after the close thereof, but not afterwards, appeal to the criminal terms of the court of common pleas next thereafter to be holden in and for said county, in all cases of conviction, except when the conviction shall be of the crimes of drunkenness, profane cursing and swearing, and Sabbath breaking, upon giving bonds of recognizance with sufficient surety to the state, conditioned as is now or may hereafter be provided by law in appeals from judgments of justices of the peace in criminal cases; *and provided further*, that if the appellant shall be unable to procure bonds on his appeal, he may be committed to jail and there detained for trial, or admitted to bail in the same manner as persons bound over to the superior court for trial.

SEC. 186. Said city court shall also have jurisdiction and power in all cases of criminal prosecution for the breach of the city ordinances and of the by-laws or regulations of the departments of parks and of health, now or hereafter in force, in the same manner and to the same extent, and subject to an appeal to the criminal term of the court of common pleas of said county, in the same manner and upon the same terms as in other criminal matters, except that bonds in all such appeals shall be taken to said city.

SEC. 187. No grand juror shall make complaint, either to said city court or to a justice of the peace, of any criminal matter whereof jurisdiction is conferred upon said city court by this act, nor shall any justice of the peace take cognizance of any action or complaint of a criminal nature whereof jurisdiction is conferred upon said court by this act.

SEC. 188. A session of said court shall be held daily, Sundays excepted, for the trial and disposition of any criminal matters legally brought before it, and may be held on Sunday, and an extra session of said court may be held whenever deemed necessary by the judge or associate judge thereof. Said court shall proceed in all criminal cases without jury, may issue subpœna and capias for witnesses in matters brought before it, warrants of arrest upon complaint made to it of criminal offenses, and all other usual criminal process to be served in any part of this state, and shall administer justice in all criminal matters whereof this act gives jurisdiction according to law, and such process shall be deemed to be issued by the court, when issued and signed by the judge or associate judge, clerk or assistant clerk, the city attorney or his assistant. Said court may adjourn any case to a future day for trial, and take bonds for the appearance of the accused, as justices of the peace may do, and when said court has or may have final jurisdiction thereof, the bonds shall be taken to said city, otherwise to the state; and such bonds may be taken by the judge or associate judge, clerk or assistant clerk, and, in the case of the arrest of any person upon a criminal charge, when the offense is bailable, the judge or associate judge, clerk, or assistant clerk of said court, or the acting chief of police of said city, or some official designated by him, may take bonds, with sufficient surety for the appearance of the accused before said court at its next session for criminal business, and for his abiding the order of said court, and in such cases the bond shall be taken as above provided; but in no case shall any fee or reward be received for taking such bond.

SEC. 189. Said court may suspend the rendition of judgment in the case of any person arraigned before it for drunkenness, vagrancy, disorderly conduct, assault and battery, breach of the peace, or other petty offense, and in the case of juvenile offenders, who might otherwise be committed to the Connecticut School for Boys, or the Connecticut Industrial School for Girls, whenever such court may deem such forbearance to be advisable by reason of the age of

the accused or the circumstances under which the offense was committed.

SEC. 190. In all cases and proceedings of a criminal nature, the following costs shall be taxed in said court: A court fee of three dollars, and the same officer's and witness' fees as are taxable in the superior court; *provided, however*, that in cases of assault and battery, breaches of the peace, and other misdemeanors, said court may, in its discretion, direct that witness fees shall not be paid to any witness in fault in the matter of the complaint, or where the witness is the complainant but the offense is trifling in character, or where said court is of the opinion that the witness is not justly entitled to said fee. All copies in cases coming to the superior court, or the criminal court of common pleas, by appeal, binding over, or otherwise, shall be taxed the same as in similar cases coming in like manner from justices of the peace; in case of conviction and judgment against the accused, said costs shall be paid by him and payment enforced, as in cases before the superior court, and all fees taxed as such costs by said court, but due to any individual, shall be paid by said city to him, except as herein otherwise provided.

SEC. 191. The city attorney and the assistant city attorney shall each take the oath prescribed by law, for grand jurors, *mutatis mutandis*, and shall hold office from the dates of their appointment and until others shall be appointed and sworn in their stead. They may be removed by the judge for cause, and if either of them shall willfully neglect any duty imposed upon him by this act, he shall incur a penalty of one hundred dollars for every such neglect, one-half to him who shall prosecute therefor, and the other half to said city, which said penalty may be recovered in any proper action founded on this statute. Either of them may issue subpoenas for witnesses to be sworn before said court, and may require any person informing him of the commission of a crime to make information under oath, and may administer the witness' oath to him. The provisions of section 91 of the general statutes of Connecticut are hereby extended to said city attorney and assistant city attorney, and they shall respectively have all the powers within the limits of the city or town of New Haven that grand jurors have in their several towns by virtue of said section. It shall be the duty of each of them diligently to inquire after and make due presentment or complaint to said city court of all crimes, misdemeanors and other criminal matters whereof said court has jurisdiction or whereupon

said court may proceed, whether committed before or after his appointment to office, and to attend to the proper trial and hearing of the same before said court.

SEC. 192. Whenever any breach of any ordinance of said city or of any rule or regulation of the department of health or the department of parks has been committed for which a fixed penalty is prescribed, either of said attorneys may collect and receive the amount of such penalty without a suit or prosecution therefor; and whenever such breach has been committed for which a discretionary penalty is prescribed, either of said attorneys may collect and receive in like manner therefor, the maximum penalty prescribed for such breach. Each of them shall, within thirty days thereafter, render an account of all such penalties received by him, together with the dates and names of the persons paying the same and the several amounts, to the controller.

SEC. 193. Said attorney or said assistant attorney shall in like manner sue for, collect, and receive the amounts due on all bonds payable to the city in criminal matters when the same have been or shall be forfeited. Each of them shall deposit with the controller of said city a bond in the penal sum of one thousand dollars, in form and with surety satisfactory to the board of finance of said city, conditioned for the payment by him to the city of all money belonging to the same coming into his hands as aforesaid, and he shall pay over such money within ten days after the same is received. But no person or corporation shall be accepted by said board of finance as surety on such bond except as provided for in section 159 of this charter. He shall forthwith notify the state's attorney for New Haven county of the forfeiture of any bond of the state in criminal matters before said court.

SEC. 194. Criminal process issued by said city court, or by the judge or clerk thereof, may be served by any member of the police force of said city, or by any proper officer or indifferent person, and may be served in any part of this state; but before any member of said police force shall leave said city to serve such process, he shall obtain permission so to do from the acting chief of police of said city. Any officer or indifferent person, other than paid members of said police force, shall receive the same fees for such service allowed by law to constables in similar cases and any extra expense, necessarily or reasonably incurred in securing an offender and bringing him before said city court, may be paid from the

funds of said city, and in the discretion of said court may be taxed, allowed, and collected as a part of the costs.—As amended by act approved April 9, 1901.

SEC. 195. It shall be the duty of the chief of police of said city, for the time being, to designate a suitable officer or officers of said force, who shall attend the sessions of said court for criminal business, shall bring before it any person or persons in custody, for trial therein, take custody of any persons convicted or bound over therein and deliver them over to the officer or other person proper to receive the same, and, in general, execute the orders of said court.—As amended by act approved April 9, 1901.

SEC. 196. The keeper of the county jail and workhouse of New Haven county, and the keeper of the town workhouse of the town of New Haven, and the keeper of the Connecticut School for Boys, and the keeper of the Connecticut Industrial School for Girls, shall receive any person committed thereto by said court, and shall have and keep the custody of such person as in other cases, according to law until duly discharged. It shall be the duty of each of the keepers of said jail or workhouse to render to the clerk of said court, at least once in each month, an account of all persons committed to his custody by order of said court, and of those discharged, stating by whom and how discharged, and to pay over to said clerk all moneys paid to them for fines or costs by or for such persons, except that they shall be permitted to retain five per centum of such moneys so received by them, as compensation for making out such returns, and said clerk shall keep said returns on file.

SEC. 197. It shall be lawful for all members of the police department of said city, and it shall be their duty, to arrest, without previous complaint and warrant, all such persons as are guilty of drunkenness, vagrancy, disorderly conduct, breach of the peace, common assaults, and other offenses, when such offenses shall be committed within the jurisdiction of the city court, and such offenders shall be taken or apprehended in the act, or on the speedy information of others, and all persons so arrested shall be presented before said city court at its next session for trial; each member of said police department shall also have power, by permission of the chief of said department, to pursue and arrest with process in any part of this state persons charged with criminal act committed within the limits of the city or town of New Haven.

SEC. 198. The chief of said police department shall have power, subject to the control of the mayor of said city, to suppress all tumults, riots, and unlawful assemblies within said city or town, with force and strong hand; to enter into any house and building in said city or town reasonably suspected of being inhabited, frequented, or resorted to by persons of ill-fame, or persons of idle, dissolute, or disorderly character, or for purposes of gambling or gaming; to command all such persons, when found in or about such house or building to disperse, and, upon their refusal so to do, to arrest such persons, and cause them to be brought immediately before said city court, to be proceeded against according to law, and to require any person to aid him in the execution of the powers conferred upon him by this section; and every person of sufficient age and ability who shall refuse to aid and assist him when so required shall forfeit a sum not exceeding fifty dollars to said city, to be sued for and collected by the city attorney.—As amended by act approved April 9, 1901.

SEC. 199. All acts or parts of acts inconsistent herewith relating to or affecting the city court of New Haven are hereby repealed, but said court shall have jurisdiction over all offenses committed or causes of action accruing prior to its taking effect, whether pending or not, in the same manner as though this act had not been passed.

SEC. 200. All powers, duties, and liabilities formerly vested in and imposed upon the town of New Haven respecting highways, private ways, bridges, and respecting paupers, shall hereafter be transferred and be imposed upon the city of New Haven. All provisions of the charter of said city concerning highways, private ways, and bridges shall hereafter be extended and made to apply to all territories within the present limits of the city of New Haven.

DEPARTMENT OF CHARITIES AND CORRECTION.

SEC. 201. There shall be a department of charities and correction in said city under the management and control of a board composed of three members. During the month of January, 1908, and biennially thereafter, the mayor shall appoint a board of three members to serve for a term of two years from the first day of February following their appointment. In making said appointment the mayor shall designate one of said board to be superintendent. Not

more than two members of said board shall at any one time belong to the same political party. Said board may make all necessary rules and regulations concerning the affairs of said department not inconsistent with the law or with the ordinances of said city. Said superintendent shall receive a salary not exceeding two thousand dollars per year. The other members of said board shall serve without pay. Said superintendent shall give bonds to the amount of twenty-five thousand dollars.—As amended by acts approved June 10, 1901, and July 6, 1905.

SEC. 202. Said board of charities and correction shall hereafter be charged with the care of the poor belonging to said city and those within the former limits of said town, and shall execute all laws relative thereto which would, except for this act, apply at any time to the selectmen of said town. All paupers within said city who have no settlement therein shall be cared for or removed by said board in the same manner in which they would have been cared for or removed by the selectmen of the town of New Haven were it not for this act. Said board shall provide a suitable place where shelter and food may be furnished at the discretion of said board to any destitute person temporarily within said city; but no able-bodied person, whether a resident or non-resident of said city, shall be furnished shelter, food, or relief in any form, unless such person shall render in labor or otherwise as full an equivalent for what he receives as such board shall consider reasonable under the circumstances.

The said board shall annually make a report of its doings for the fiscal year next preceding, in accordance with the provisions of section 158, which report shall be published with the report of the other departments.

SEC. 203. On or before the first day of November in each year, said board shall submit to the board of finance in said city estimates of the amount of money required by it for the ensuing fiscal year, specifying the purpose for which each part is required.

Said board shall cause to be kept a record showing the age, sex, nationality, and probable cause of destitution of each person whom it relieves, the time when public relief was first given, the amount of relief given to each person, the birthplace of each, the number of applicants for relief in each month, and the monthly expenditure for all relief; and said record shall at all reasonable times be

open to the inspection of the public.—As amended by act approved April 11, 1901.

SEC. 204. Said board shall have power to employ and discharge a manager of Springside farm and home, who shall reside at said place, and shall engage in no other business, and may authorize the superintendent to employ and discharge such clerks and other assistants as it may find necessary in carrying on its work. All appointments and removals made by said board, of officers or employes, whose compensation exceeds twelve dollars per week, shall be in writing, and be signed by at least two members of said board and entered upon the records of the department. Said board shall have an office in the city hall, which shall be open on each business day at times to be fixed by said board.

SEC. 205. Said superintendent shall have the care, management, and direction of the almshouse. All relief given to persons outside of the almshouse (except to those in hospitals, asylums, and other public institutions) shall be given under his supervision. He shall be the purchasing agent of said board, and shall make a written report to said board on or about the fifth day of each month, as directed by said board, of all purchases, sales, and collections made by him during the month last ended, and he shall also report what supplies were on hand, at the almshouse or elsewhere, on the last day of the month preceding his report.

SEC. 206. All powers and duties of the selectmen of said town concerning the appointment and supervision of conservators, guardians, and overseers, the commitment of persons to the Connecticut School for Boys, or the Connecticut Industrial School for Girls, the commitment of insane persons and indigent, imbecile children to proper institutions, the indenture of apprentices, the giving of children in adoption, the education of children, the collection and return of statistics concerning the deaf, dumb, and blind, prosecution for bastardy, and concerning all other matters affecting the defective and dependent classes, and the execution of all laws relative thereto, which would at any time, except for this act, belong to the selectmen of said town, shall hereafter be exercised or performed by said board of charities and correction. All notices and summonses respecting any of the matters mentioned in this section which the law now requires to be served upon the selectmen of said town shall hereafter be served upon the clerk of said city, who shall forthwith give notice to the clerk of said board.

All powers relating to the establishment of workhouses which would at any time, except for this act, belong to said town, shall hereafter be conferred upon said city. All workhouses of said city and their inmates shall hereafter be maintained and controlled by said board of charities and correction, and said city shall have the use and benefit of the labor of all inmates of its workhouse. All general laws concerning town workhouses, so far as they are consistent with this act, shall apply to said city.

TOWN CLERK.

SEC. 207. The town clerk of said town shall continue to discharge all the duties required of him by law hereafter, and his compensation shall be three thousand dollars a year, which, together with the expenses of his office, including the salaries of clerks, the number and salaries of which shall be determined by the board of finance, shall be paid by said city. On the first week day of each month said town clerk shall make report to the mayor of all fees collected by him during the preceding month, and shall pay the amount of the same into the city treasury. On or before the fifteenth day of February in each year he shall, in accordance with the provisions of section 158, submit to the mayor an account of the doings of his office for the preceding fiscal year, which report shall contain a statement of all moneys received and expended in said year. He shall give bonds in the amount of ten thousand dollars.

REGISTRAR OF VITAL STATISTICS.

SEC. 208. The registrar of vital statistics of said town shall hereafter continue to discharge all of the duties required of him by law, and his compensation shall be two thousand dollars per annum, which, together with the expenses of his office, including salaries of clerks, the number and salaries of which shall be determined by the board of finance, shall be paid by said city. On the first week day of each month the registrar of vital statistics shall make report to the mayor of all fees collected by him during the preceding month and shall pay the amount of the same into the city treasury. On or before the fifteenth day of February in each year he shall, in accordance with the provisions of section 158,

submit to the mayor an account of the doings of his office for the preceding fiscal year, which report shall contain a statement of all money received and expended by him for the preceding fiscal year. He shall give bonds in the amount of five thousand dollars.

SELECTMEN AND CONSTABLES.

SEC. 209. The selectmen and constables elected to hold office for one year from the first week day of June, 1905, shall continue to hold their respective offices until the first week day of January, 1907. There shall be elected on the Tuesday after the first Monday of November, 1906, and on the Tuesday after the first Monday of November of every second year thereafter, five selectmen and five constables, who shall hold office for one year from the first week day in January next following their election. There shall be elected on the first Monday of October, 1907, and on the first Monday of October in every second year thereafter, five selectmen and five constables, who shall hold office for one year from the first week day in January next following their election; *provided, however*, that if the certain proposed amendment to the constitution concerning the election of selectmen and officers of local police, which was passed in the house of representatives of the general assembly, May 20, 1903, shall be finally adopted and become effective, and if the electors of the town of New Haven shall so determine, the selectmen and constables shall be elected biennially, beginning with the election to be held the first Monday of October, 1907, and the selectmen and constables then and thereafter elected, shall hold office for two years from the first week day in January next succeeding their election, and there shall be no election of selectmen or constables thereafter, excepting only in every second year after 1907.

No person elected as constable shall enter upon the duties of his office until he has filed a bond with sufficient surety, in the sum of five thousand dollars, payable to the treasurer of the city of New Haven, conditioned for the faithful performance of his duties. The powers and duties of said selectmen shall hereafter be limited to those powers vested in and those duties imposed upon selectmen by the constitution and laws of the state relating to the admission of persons to the privileges of electors in said town, and to the erasure from the registry list of the names of those who have for-

feited the privileges of electors, and the powers and duties imposed upon them by the act incorporating The Trustees of the Old Almshouse Farm of New Haven, and the amendments thereto. No elector shall vote for more than three selectmen at any election. Each of said selectmen shall receive fifty cents per hour for the time actually spent in the discharge of said duties, and their necessary expenses, and their compensation and expenses shall be paid by said city.—As amended by act approved July 6, 1905.

SEC. 210. The town clerk, the registrar of vital statistics, the grand jurors, and the registrars of voters, elected to hold office for two years from the first week day of June, 1905, shall continue to hold their respective offices until the first week day of January, 1908. The city of New Haven shall, at the election to be held on the first Monday of October, 1907, and biennially thereafter, elect a town clerk for the town of New Haven, who shall hold his office for the term of two years from the first week day of January next succeeding his election, and shall perform all the duties imposed by law upon the town clerks of other towns. The city of New Haven shall, at the election to be held on the first Monday of October, 1907, and biennially thereafter, elect a registrar of vital statistics, grand jurors, and registrars of voters, each to serve for two years from the first week day of January next succeeding his election. The powers and duties of said registrars shall be the same as they would have been in the same town had this act not been passed, and they shall be subject to all laws applying to the corresponding officers of other towns. All expenses of said town elections shall be paid by said city, and warning of said elections shall be given as provided by law for town elections. All electors formerly of the town of New Haven and of the city of New Haven shall be electors of said city and shall be qualified to hold office in said city and vote at all city elections. All elections in said town shall hereafter be held on the third Tuesday of April in each year, beginning with the April election, 1902.—As amended by acts approved June 10, 1901, and July 6, 1905.

BOARD OF ASSESSORS.

SEC. 211. There shall be a board of assessors in said city consisting of five members, not more than three of whom shall belong to the same political party. The present members of the board of

assessors in said city shall continue to be members of said board until the term for which they have been appointed shall expire, unless sooner removed for cause in accordance with the provisions of this act. In the month of January, 1907, and annually thereafter, the mayor shall appoint one assessor to serve for five years from the first day of February next following his appointment. Each assessor shall receive a salary of two thousand dollars a year. Said board of assessors may appoint a clerk or clerks, the number and salaries of which shall be fixed by the board of finance. Said assessors shall have the same powers and duties which the assessors of the town of New Haven would have had if this act had not been passed.—As amended by act approved July 6, 1905.

BOARD OF RELIEF.

SEC. 212. There shall be a board of relief in said city consisting of three members, not more than two of whom shall belong to the same political party. The present members of the board of relief shall continue to hold office until the terms for which they have been appointed shall expire, unless sooner removed for cause in accordance with the provisions of this act. In the month of January, 1907, and annually thereafter, the mayor shall appoint one member of the board of relief to serve for three years from the first day of February next following his appointment. Each member of the board of relief shall receive a salary of two hundred dollars for each of the months of April, May and June, 1901, and thereafter a salary of three hundred dollars a year. Said board of relief shall have the same powers and duties which the board of relief of the town of New Haven would have had if this act had not been passed.—As amended by acts approved March 21, 1901, and July 6, 1905.

MAYOR'S POWER OF REMOVAL.

SEC. 213. The mayor may at any time whenever he may believe any person appointed to office by him or any of his predecessors to be incompetent, or unfaithful to the duties of his office, or that the requirements of the public service demand his removal, summon said officer before him at a place and time specified in said sum-

mons, to show cause why he should not be removed from said office. With said summons he shall leave with said officer a written statement of charges against him, and if, after full hearing, he shall find that such officer is incompetent or unfaithful, or that requirements of the public service demand his removal, he may remove such person from his office.

Any such official so removed may appeal from the order of the mayor removing him from said office to the superior court or any judge thereof, which appeal shall be made returnable not more than six nor less than three days from the date of the order of removal of said mayor, and shall be served upon the mayor, or at his usual place of abode, at least forty-eight hours before the time fixed for a hearing. And said court or judge, having given such further notice as may be deemed necessary to all parties, shall forthwith hear said case, and may approve or revoke the order of said mayor, and may award costs at his discretion. But no such official so removed shall exercise any of the powers of his office during the pendency of his appeal to the superior court.

GENERAL PROVISIONS.

SEC. 214. All officers, not hereinbefore mentioned, who would, except for this act, be elected by said town, or be appointed by the selectmen of said town, shall hereafter be chosen and appointed by the court of common council of said city, in so far as said officers are necessary under the laws, except as herein otherwise provided; and they shall have the same powers and be charged with the same duties that would otherwise devolve by law upon such officers in said town.

SEC. 215. The consolidation act of 1897 being adopted by a majority of the votes in accordance with the provisions of section 27 of said act, all property belonging to the town of New Haven prior to the seventh day of December, 1897, shall be and is vested in the corporation of the city of New Haven. Said city shall have full authority and power to collect for its own use all town taxes and all other moneys which may be due to said town and unpaid, when this act goes into effect; and said city is hereby made liable for all debts which, except for this act, might at any time be enforced against said town.

SEC. 216. The aldermen or councilmen representing the thirteenth, fourteenth, and fifteenth wards of said city shall not vote, either as a member of either of said boards, or as a member of a committee of either of said boards, upon any question pending before either of said boards in which their wards have no right or interest until their respective wards shall have come under full jurisdiction of the city in the manner prescribed in section 218 of this act.

SEC. 217. No property in the thirteenth, fourteenth, and fifteenth wards of said city shall receive any service, protection, or improvements from the government of said city except such as were, prior to December, 1897, furnished by the town of New Haven; and none of such property shall be subject to burdens by assessment, taxation, or otherwise, for sidewalks, curbing, sewers, or any other public work which can be properly described by the term "city improvements," except such as might have been laid or enforced by the town of New Haven or by the selectmen of the town of New Haven. None of said property shall be taxed by said city more than four mills on the dollar, exclusive of the school tax; and none of the oyster grounds in New Haven harbor not in state jurisdiction, which have not heretofore been subject to city taxation, shall be taxed more than four mills on the dollar.

The provisions of this section, except those relating to taxation of oyster ground, shall not apply to any ward which may be brought under the full jurisdiction of the city in accordance with the provisions of and in the manner prescribed in section 218 of this act.

SEC. 218. Whenever one hundred electors of said city, residing in any one of the said thirteenth, fourteenth, or fifteenth wards, shall petition the court of common council of said city that the ward in which they reside may be brought under the full jurisdiction of said city, so that the persons and property within said ward may secure from the government of said city the same benefits and be subject to the same obligations as persons and property within the original twelve wards of said city, said court of common council, after due hearing, may fix a day on which all legal voters residing within the limits of said ward may vote upon the question whether they are in favor of or opposed to said petition. And if on said day a majority of the votes cast within said ward shall be found in favor of having said petition granted, said court of com-

mon council shall grant the same and make an order that the said ward shall thereafter be and remain under the full jurisdiction of said city, and such order shall have the same force and effect as if it formed a part of this act.

SEC. 219. All powers and duties of the town of New Haven, and all powers and duties of the selectmen of the town of New Haven, not otherwise provided for in this act, shall hereafter devolve upon the city of New Haven, and be exercised and discharged in such manner and by such agents or officials as the court of common council shall order.

SEC. 220. Hereafter no town meeting shall be held in the town of New Haven except for the election of town officers.

SEC. 221. All city ordinances now in force and effect, and all city ordinances hereafter enacted by the court of common council of the city of New Haven, except those controlling the matter specified in section 217, shall be of full force and effect in all the fifteen wards of said city.

SEC. 222. Whenever any vacancy shall occur in any office required by sections 200 to 221 inclusive of this act, before the expiration of the term of such office, said vacancy shall, within thirty days thereafter, be filled for the remainder of the unexpired term by choosing a new officer in the same manner in which the last incumbent of said office was chosen.

SEC. 223. Nothing herein shall be construed to abolish the Westville school district, or the South school district, or the borough of Fair Haven East, or as abridging their respective jurisdictions over all portions of their respective territories until the inhabitants thereof shall have come under the full jurisdiction of the city of New Haven in accordance with the terms and provisions of section 218 of this act.

SEC. 224. All officers of said city in office when this act takes effect shall continue to hold office for the terms for which they were appointed or elected, as the case may be, and are hereby invested with the powers conferred by this act and the powers and duties conferred upon them by the general laws of this state not inconsistent with the provisions of this act.

SEC. 225. The court of common council of the city of New Haven shall appoint agents of the town deposit fund of New Haven, who shall perform all duties and have all the powers conferred upon agents of town deposit funds appointed by towns.

SEC. 226. This act shall be a public act, and all acts or parts of acts, public or private, inconsistent herewith are hereby repealed so far as the effect upon this act is concerned; but no acts hitherto repealed shall be revived by such repeal.

This act shall not repeal any provisions in the resolutions of the general assembly approved July 1, 1895, concerning street pavements and bonds, and amendments thereto, or the act concerning the establishment of a public hospital for contagious diseases, approved June 28, 1893.

No rights, privileges, or immunities vested in said city or in any person against said city shall be deemed to be impaired by such repeal, and all actions brought against said city or prosecutions for the breach of any ordinance or by-law, shall be proceeded with as though this act had not been passed. All offenses committed or penalties incurred shall be prosecuted as though this act had not been passed. Said repeal shall not affect any act done or right allowed unless by law otherwise provided.

All lawful city ordinances and any regulations or by-laws of said city in force and not inconsistent herewith are hereby continued in effect until the same shall be duly amended by competent authorities; *provided*, that all such ordinances, regulations, and by-laws shall be deemed to be and hereby are amended, so as to confer upon the proper officers and boards the power and authority and duties that are hereby conferred or imposed upon them.

SEC. 227. This act shall take effect July 2, 1899.

Approved, June 20, 1899.

APPENDIX.

APPENDIX.

SPECIAL ACTS

RELATING TO

New Haven and New Haven Harbor.

AN ACT TO ESTABLISH A BOARD OF HARBOR COMMISSIONERS FOR NEW HAVEN HARBOR.

SECTION 1. The governor, with the advice and consent of the senate, shall before the first day of July next, appoint five competent persons, resident in the city of New Haven, or in the town of East Haven, who shall constitute a board of harbor commissioners for New Haven harbor, and who shall hold their offices from the dates of their respective appointments, and for the terms of one, two, three, four, and five years, respectively, from the first day of July next, the term of each to be designated at the time of his appointment. The governor shall, in like manner, before the first day of July in every year after this year, appoint a commissioner to continue in office for the term of five years from said day; and in case of any vacancy occurring in the board, by resignation, or otherwise, shall, in the same manner, appoint a commissioner for the residue of the term, and may in the same manner remove a commissioner; *provided*, that in case of a vacancy occurring when the general assembly is not in session, the governor alone shall have power to fill such vacancy, but the commissioner so appointed shall hold office only until the next session of the general assembly, and until his successor is appointed, unless confirmed by the senate.

SEC. 2. Said board of harbor commissioners shall have the general care and supervision of New Haven harbor and its tide-

waters, and of all the flats and lands flowed thereby, in order to prevent and remove unauthorized encroachments and causes of every kind which are liable to interfere with the full navigation of said harbor, or in any way injure its channels, or cause any reduction of its tide-waters. They may, from time to time, make such surveys, examinations, and observations as they may deem necessary, in said harbor, for said purpose, and employ for these purposes competent engineers, and also employ such clerical and other assistance as they may think necessary. They shall have an office in the city of New Haven, where the maps, charts, and plans connected with said harbor, records of all their doings, and all documents relating to their business shall be kept.

SEC. 3. Whenever, in the judgment of said board of harbor commissioners the public good requires, they may proceed to prescribe harbor lines in said harbor, beyond which no wharf, pier, or other structure shall be extended into said harbor, and shall report the same for the consideration of the general assembly at its next session: *provided, however*, that said commissioners, before drawing any such line, shall appoint a convenient time and place for the hearing of all persons interested, and shall give notice thereof by publication two weeks successively in two or more newspapers published in the city of New Haven, the first publication to be at least twenty days before the time of hearing.

SEC. 4. All persons whatsoever contemplating the building over said harbor and tide-waters, any bridge, wharf, pier or dam, or the filling any flats, or the driving any piles below high water mark, shall, before beginning it, give written notice to said commissioners of the work they intend to do, and submit plans of any proposed wharf or other structure, and of the flats to be filled, and of the mode in which the work is to be performed; and no such work shall be commenced until the plan and mode of performing the same shall be approved in writing by a majority of said commissioners. And the said commissioners shall have power to alter the said plans at their discretion, and to prescribe the direction, limits, and mode of building the wharves and other structures, and all such works shall be executed under the supervision of said commissioners.

SEC. 5. The amount of tide-water displaced by any structure or filling of flats hereafter authorized as aforesaid, shall be ascer-

tained by said commissioners, and they shall, in all cases affecting said New Haven harbor, if they shall deem it necessary, require the parties making the same to make compensation therefor, either by excavating in some part of said harbor, including tide-water channels between high and low water mark, to such an extent as to create a basin for as much tide-water as may be displaced by such structure or filling of flats, and the same shall be done under the direction of said commissioners, or by paying in lieu of performing the work of dredging to restore the displaced tide-water a sufficient sum of money for making such compensation, or by improving the harbor in any other mode to the satisfaction of said commissioners; and all moneys thus paid shall be paid into the treasury of the city of New Haven, and be reserved as a compensation fund for said harbor, and used for that purpose under the direction of said commissioners: *provided*, that all dredging made for purposes of such compensation for displaced tide-water shall in no wise injure any existing channels, but as far as practicable shall be directed toward their permanent improvement.

SEC. 6. Any erection or work hereafter made in any manner not sanctioned by said commissioners, where their direction is required, as hereinbefore provided, within tide-waters flowing into or through said harbor shall be deemed, and is hereby declared to be, a public nuisance. Said commissioners shall have power to order suits in the name of the state to prevent or stop, by injunction or otherwise, any such erection, or other nuisance in the tide-waters flowing into or through said harbor, and such suits shall be conducted by and at the expense of the city of New Haven.

SEC. 7. Said commissioners are authorized and empowered, whenever they deem it necessary, to apply to Congress for appropriations for protecting and improving said harbor.

SEC. 8. All expenses incurred by said commissioners shall be paid by the city of New Haven in the same manner as is now provided in the charter of said city for the payment of other claims and accounts, but no contracts shall be made, and no acts done by said commissioners which involve the payment of any money from the treasury of said city, except as herein provided, without an appropriation expressly made for that purpose by the court of common council of said city.

SEC. 9. For the purposes of this act New Haven harbor shall be held to include all those lands over which the tide ebbs and

flows, lying northerly of a line drawn from the southerly limit of Oyster River Point, upon the westerly side of said harbor, as laid down upon the chart of said harbor, published in the year 1846, by the United States coast survey, thence easterly to Ludington Rock, so-called, and thence to the point called South End, upon the easterly side of said harbor,' as laid down upon said map; *provided*, that the provisions contained in the fourth and fifth sections of this act shall not apply to that portion of said harbor lying southerly of a line drawn from a point two hundred feet southerly from Oyster Point, so-called, thence easterly across said harbor to the signal station of the United States coast survey upon Crane's Bar, so-called: and *provided further*, that the provisions contained in said sections shall not apply to any wharf already commenced upon the easterly side of said harbor, between said Crane's Bar and the easterly abutment of Tomlinson's bridge, so-called.

SEC. 10. Nothing contained in any of the provisions of this act shall be construed to authorize or empower said commissioners to grant or convey to any person or persons any right or title in or to any of the tide-water flats of said harbor.

SEC. 11. This act shall take effect from its passage.

Approved, June 27, 1872.

State vs. Sargent & Co., 45 Conn., 358.

AN ACT PROVIDING THAT ONE MEMBER OF THE BOARD OF HARBOR COMMISSIONERS FOR NEW HAVEN HARBOR SHALL RESIDE IN WEST HAVEN, AND INCREASING THE NUMBER TO SIX, ETC.

SEC. 1. Section first of chapter sixty-first of the Special Acts and Resolutions of the General Assembly, May Session, 1872, being an act entitled "An Act to establish a Board of Harbor Commissioners for New Haven Harbor," is hereby amended so that the number of harbor commissioners for New Haven harbor shall consist of six, one of whom shall always be a resident of the borough of West Haven, in the town of Orange, and shall be appointed, and his place, in case of vacancy for any cause, or at the expiration of his term of office, filled as provided in said act; said sixth commissioner shall be first appointed at this general assembly, and shall hold his office for five years, from the first day of July, A. D. 1874.

SEC. 2. Sections fourth and fifth of said act are hereby made applicable to that part of New Haven harbor, as defined in said act, which is known as West Haven harbor.

SEC. 3. Provided, however, that all the expense of removing unauthorized encroachments and causes of every kind, which are liable to interfere with the full navigation of said West Haven harbor, or in any way injure its channels, or cause any reduction of its tide-waters, shall be paid only by "The warden, burgesses, and freemen of the borough of West Haven," which corporation is hereby authorized to pay such expenses: *provided*, that at a legally warned meeting of the freemen of said borough, held for that purpose, said borough shall decide to pay such expense.

SEC. 4. This act shall take effect from its passage.

Approved, July 17, 1874.

ABSTRACTS FROM GENERAL STATUTES RELATING TO NEW HAVEN HARBOR.

SEC. 4770. OBSTRUCTIONS IN NEW HAVEN HARBOR. Whenever any person shall place any obstruction or erect any structure in New Haven harbor, within the jurisdiction of the board of harbor commissioners for said harbor, contrary to the order or without the consent of said board, said board may order such person to remove such obstruction or structure, and in case he shall fail to do so within such time as said board shall fix, said board may remove the same and collect the expense of such removal from the person responsible for such obstruction or structure; but the right of appeal given in Sec. 4772 shall apply to and stay any order made by said board under the provisions of this section.

SEC. 4471. WHARFING OUT RESTRICTED. No wharf, pier, or other structure shall be built or extended between Tomlinson bridge and Long Wharf in New Haven harbor, into or over tide water beyond the harbor line. Nothing in this section shall authorize the construction or extension of any wharf, pier or other structure between said bridge and said wharf in said harbor.

SEC. 4772. APPEAL FROM NEW HAVEN HARBOR COMMISSIONERS. Any party aggrieved by any act of the board of harbor commissioners for New Haven harbor, in reference to the building over said harbor and its tide-waters, of any bridge, wharf, pier, or dam, or the filling of any flats or driving of any piles below high-water

mark, or in reference to the making of compensation for the displacement of the tide-water of said harbor, may make written application for relief to the superior court to be held in and for New Haven county at its session next after the doing of the act by which he claims to be aggrieved; provided, that he shall give notice to said board of such application, by causing a copy thereof to be left with the clerk of said board, or at his usual place of abode, before the commencement of said session of said court, and within thirty days after the doing of the act by which he claims to be aggrieved. Said court may, by committee or otherwise, inquire into the allegations of such application, and may confirm, annul, or modify the action of said board, or make such order in the premises as equity may require, and may award costs at its discretion.

SEC. 4473. DUMPING IN HARBORS PROHIBITED. Every person who shall deposit any substance except oyster shells in New Haven harbor, or off its mouth within two miles of Southwest ledge light-house, or in Bridgeport harbor or off its mouth within three hundred feet outside of the outer bar, so-called, or in the waters adjacent to said harbor below Yellow and Old Mill bridges, or in Stamford harbor, or off its mouth inside of a direct line drawn from Captain's island light, off Greenwich, to the buoy on Old Cow reef off Shippan point, shall be fined not less than fifty nor more than five hundred dollars, or imprisoned not more than six months, or both; but this section shall not prevent the owners of land adjacent to said harbors from building wharves therein.

SEC. 4774. JURISDICTION OF OFFENSES. The city court of New Haven, and any justice of the peace in the towns of New Haven and East Haven, shall have cognizance of all complaints for violations of Section 4773 in New Haven harbor or vicinity; and the city court of Bridgeport and any justice of the peace in the towns of Bridgeport and Stratford shall have cognizance of all complaints for violations thereof in Bridgeport harbor. The city court of Stamford shall have cognizance of all complaints thereof in Stamford harbor.

AN ACT ESTABLISHING HARBOR LINES IN NEW HAVEN HARBOR.

SEC. 1. No wharf, pier, or other structure shall be extended into or over tide-water in those portions of New Haven harbor hereinafter described beyond the lines hereinafter defined, viz.;

Commencing at a point in the harbor line established in 1878, four hundred feet perpendicularly distant easterly from the easterly face of Canal wharf, so-called; thence running northwesterly, parallel with the easterly face of said Canal wharf, about sixteen hundred and fifty-four feet, to the southerly line of Brewery street, about four hundred and fourteen feet, to the easterly face of said Canal wharf, so-called; thence southeasterly along the face of said Canal wharf, fifteen hundred and fifty-one feet, to its intersection with said harbor line established in 1878.

SEC. 2. Nothing contained in this act shall be construed to give authority to any person or persons to extend or construct a wharf, pier, or other structure in those portions of New Haven harbor above described.

SEC. 3. This act shall take effect from its passage, and shall not affect any suit now pending.

Approved, April 30, 1895.

AN ACT GIVING CITY OF NEW HAVEN AUTHORITY TO ESTABLISH PUBLIC WHARVES.

SEC. 1. The court of common council of the city of New Haven shall have authority to make, alter, and repeal ordinances to provide for laying out, grading, discontinuing, altering, establishing, and making public wharves, public landing places, and public slips, below high-water mark within the limits of the city of New Haven, and to provide for the protection of all sewers and sewer outlets which are or may be constructed below high-water mark within the limits of said city; and for the aforesaid purposes, said court of common council is hereby authorized and empowered to extend any highway or highways within said city upon or across the flats of New Haven harbor, subject to the approval of the board of harbor commissioners for New Haven harbor, whenever and in whatever direction, in the opinion of said court of common council, the public good may require.

SEC. 2. The board of public works of the said city shall have the same powers and duties in respect to the layout, construction, management, and control of such extension of highways as it now has in respect to existing highways within the limits of said city.

SEC. 3. Said city may take and occupy so much of the flats of New Haven harbor lying below high-water mark as may be necessary for the purposes aforesaid, in the same manner as is now provided in the charter of said city, for taking land for a highway, and, in all such cases, damages and benefits may be assessed in the same manner and upon the same notices as is now provided in said charter for such assessments in the case of land taken for a highway.

SEC. 4. This act shall take effect from its passage.

Approved, June 13, 1895.

AN ACT AUTHORIZING THE CITY OF NEW HAVEN TO ISSUE STREET PAVEMENT BONDS.

SEC. 1. That the court of common council of the city of New Haven be and it is hereby authorized and empowered, by a concurrent vote of a majority of the members of each branch of said court, present and absent, subject to the approval or disapproval of the mayor of said city, as provided in the charter of the city, to issue, under the corporate name and seal and upon the credit of the city of New Haven, bonds or other certificates of debt, which bonds shall be denominated street pavement bonds of the city of New Haven; the amount of said pavement bonds issued under this act shall not exceed five hundred thousand dollars, and the same, or the avails thereof, when sold as hereinafter authorized, shall be appropriated by said court of common council to the payment of any expense incurred by said city, in the original construction in said city of new and so-called permanent pavements; but no portion of said bonds or avails shall be used for any other purpose whatsoever. Any avails of the sale of said bonds may be temporarily borrowed by the city, as provided in section eighty-seven of city ordinances, for the purpose of meeting current expenses of the city; *provided*, said temporary loans shall not in any way interfere with the use of said funds for the purpose of permanent pavements, nor shall any loan be made from said funds for a period of more than four current months. Of the bonds issued at any time by said city one-quarter shall be payable five years from date, one-quarter ten years from date, one-quarter fifteen years from date, and one-quarter twenty years from date. Said bonds shall be prepared, signed, and authenticated in such manner as the said court of common council may determine, and they shall bear interest at a rate

not exceeding four per centum per annum, payable semi-annually, and may be sold from time to time under the direction of the mayor and board of finance of said city. And said bonds or certificates, when issued as aforesaid, shall be obligatory upon the said city of New Haven to all intents and purposes, and may be enforced and collected in the same manner and to the same extent that debts contracted by municipal corporations in this state are enforced.

SEC. 2. All pavements laid by authority of this act shall be laid upon the credit of said city, and under the direction and control of its common council, and said city shall have power to collect a part of the costs of such pavements from the persons and parties, and in the manner hereinafter provided, to wit: On all streets or parts of streets upon which abutting land owners have never paid the city any assessment for a pavement, such land owners on each side of such streets, or parts of streets, shall be assessed and shall severally pay to the city the cost of one square yard of such pavement as shall be laid for every foot of such abutting land. On all streets or parts of streets upon which abutting land owners have paid to the city assessments for payments heretofore laid, such land owners on each side of such streets or parts of streets shall be assessed and shall severally pay to the city the cost of three and one-half square feet of such pavement as shall be laid for every front foot of abutting land, and all public abutting land shall be assessed at the same rate as like private abutting land, hereinbefore described. In all streets occupied by the track, or tracks, of any railway company, or companies, said company or companies shall be assessed and shall severally pay to the city the cost of paving and repaving the full length, and nine feet wide for each and every line of track of such railway or railways, now existing, or that may hereafter be laid in any street of said city. All such assessments on the hereinbefore described abutting land owners and railway companies shall be payable at such time or times as may be determined by the court of common council. All the cost of such pavements, as may be laid under the provisions of this act, above the costs collectible from the abutting land owners and the railway companies, as hereinbefore provided, shall be paid by the city, which shall have and own all materials removed when old pavements are reconstructed or repaired, and all collections from said abutting land owners, said railways, all the premiums on said bonds and the proceeds of the sale of such old materials, shall be added

to the proceeds of the sale of said bonds to be used exclusively for the construction of said permanent pavements.

Approved, July 1, 1895.

EXTENDING THE POWER OF THE CITY OF NEW HAVEN UNDER
THE RESOLUTION APPROVED JULY 1, 1895, AUTHORIZING THE
CITY OF NEW HAVEN TO ISSUE STREET PAVEMENT BONDS.

SEC. 1. That the city of New Haven is hereby authorized and empowered to expend the proceeds of the street pavement bonds authorized by the resolution of this assembly, approved July 1, 1895, in payment of all sums of money due under any contract entered into by said city for the construction of new and so-called permanent pavements, although said contracts shall include a clause by the party contracting to build said pavements, to keep the same in repair for any period of years not exceeding fifteen.

SEC. 2. In estimating the cost of each square yard to be assessed against the persons and railroad companies mentioned in section two of said resolution, the entire cost of laying the pavement, and the agreement to keep said pavement in repair for a period not exceeding fifteen years, shall be considered.

Approved, March 24, 1897.

AN ACT CONCERNING PERMANENT PAVEMENTS IN THE CITY OF
NEW HAVEN.

SEC. 1. The board of finance of the city of New Haven shall annually assess upon the grand list a sum not exceeding one mill on the dollar for the paving of streets, and the receipts from said assessments, and from all other assessments resulting from the construction of street pavements herein provided for, shall only be expended in payment for the original construction of pavements herein enumerated.—As amended by act approved April 17, 1901.

SEC. 2. Benefits and damages shall be laid under the control of the court of common council and assessed by the bureau of compensation of the city, as provided in the charter of said city, for or against all owners of property abutting upon or adjoining the streets on which such pavements are constructed; which assessment for such benefits shall not exceed per lineal foot of frontage seventy-five cents for dimension granite block pavement, sixty cents for

asphalt pavement, fifty cents for vitrified brick pavement, and twenty cents for crushed stone pavement, if said bureau shall find that the property is benefited to at least that amount; *provided, however*, that no assessment shall be laid unless the granite block, asphalt, and vitrified brick pavements shall each be provided with not less than four inches in thickness of concrete cement foundation. As amended by act approved April 14, 1903.

SEC. 3. An assessment of benefits and damages to be laid for the pavements already constructed and laid in the city of New Haven, upon Ashmun, Orange, Trumbull, Wooster, and West Chapel streets, shall be laid in accordance with and under the provisions of this act, and the property owners shall be assessed in accordance therewith, irrespective as to whether or not brick gutters have been laid on said streets.

SEC. 4. All pavements laid under the authority of this act shall be laid upon the credit of the city of New Haven and under the direction of its court of common council; and said assessments shall be collectible and payable, and liens laid to secure the same, at the same time and in the same manner as are the taxes upon the grand list of said city.

SEC. 5. Any party or parties who shall be aggrieved by any assessment laid against them under this act shall have the right to appeal to the superior court therefrom, as provided for in section eighty-seven of the charter of the city of New Haven passed by the general assembly at its January session, 1897.

SEC. 6. This act shall be regarded as an amendment to the charter of the city of New Haven, and all acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 7. Nothing herein contained shall prevent the city of New Haven from issuing bonds for street pavements in accordance with the power conferred by chapter 389, special laws of 1895.

SEC. 8. This act shall not affect the liability of street railway companies under the general laws.—Approved April 28, 1899.

ESTABLISHING A PAVING COMMISSION IN THE CITY OF NEW HAVEN.

SECTION 1. Section one of an act establishing a paving commission in the city of New Haven, approved April 17, 1901, is hereby amended to read as follows: There shall be in the city of New

Haven a commission on permanent pavements consisting of five citizens of New Haven, to be appointed by the mayor during the month of June, 1901, none of whom shall hold any other office in the government of said city or be interested in the business of furnishing paving material or of laying pavements; one of the citizens to be named by the mayor shall be appointed for a term of five years, one for a term of four years, one for a term of three years, one for a term of two years, and one for a term of one year from the first day of July, 1901. During each month of June thereafter the mayor shall appoint one member of said commission who shall hold office for a term of five years from the first day of July next succeeding his appointment. The members of said commission shall serve without pay. At no time shall more than three members of said commission be of the same political party.—As amended by act approved June 17, 1901.

SEC. 2. Said commission may, if it deem necessary, and subject to the approval of the board of finance, employ a clerk at a salary not exceeding five hundred dollars per annum, and incur any other expense subject to the approval of said board of finance, which expense shall be paid by the city of New Haven. Said commission shall submit an estimate of its expenses annually to the board of finance, on or before the tenth day of October in each year.

SEC. 3. The court of common council shall order upon what streets a permanent pavement shall be laid.

SEC. 4. Said commission shall determine what kind of a permanent pavement shall be laid upon the streets so ordered by the board of common council, and they shall make contracts therefor, in the manner prescribed by the city charter and ordinances, and do all things necessary to the proper construction of the same.

SEC. 5. The construction of said permanent pavements shall be superintended by the city engineer, and he shall prepare plans and specifications, appoint such inspectors as he may deem necessary, with the approval of said commission, and perform such other services as the commission may direct.

SEC. 6. All permanent pavements ordered by the court of common council, but not contracted for at the time that the said commission is appointed, shall come under the jurisdiction of this act.

SEC. 7. Assessments for the expense of laying such pavements shall be made as provided by the city charter and ordinances.

SEC. 8. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 9. This act shall take effect from its passage.

Approved, April 17, 1901.

AN ACT AUTHORIZING THE CITY COURT OF NEW HAVEN TO APPOINT INTERPRETERS.

The city court of New Haven may appoint interpreters whose duty shall be to interpret testimony when found necessary, and who shall receive a reasonable compensation to be fixed by said court.

Approved, July 9, 1895.

AN ACT PROVIDING FOR A STENOGRAPHER FOR THE CITY COURT OF NEW HAVEN.

SEC. 1. The city court of New Haven is hereby authorized and empowered through its presiding judge, in every civil action pending before it, to appoint or call in some suitable and competent stenographer to take the evidence in any civil action pending before it, and such stenographer so appointed or called in by the presiding judge shall have all the powers of and the evidence taken by such stenographer shall have the same effect, and be evidence to the same extent, as evidence taken by the official stenographer of the superior court.

SEC. 2. The compensation of such stenographer shall not exceed ten dollars per diem, and for fractions of days at the same ratio; and the compensation for making copies shall not be higher than that fixed by law for copies made by the official stenographer of the superior court.

SEC. 3. The expenses of said stenographer shall be paid in the same manner as the other court expenses of maintaining and carrying on the business of said court.

SEC. 4. This act shall take effect from its passage, and shall affect pending actions.

Approved, February 25, 1897.

AUTHORIZING THE NEW HAVEN CITY SCHOOL DISTRICT TO ISSUE BONDS.

SEC. 1. That the board of education of the New Haven city school district be and it hereby is authorized and empowered, from time to time, as said district at any legal meeting may have provided, to issue coupon or registered bonds in the name and upon the credit of said district, to an amount not to exceed five hundred thousand dollars, bearing interest at a rate not exceeding four per centum per annum, and payable at such times as said board may determine, but not more than fifty years from the date of issue, and authenticated in such manner as said board of education may direct. Said bonds shall be issued and their proceeds used only for the purpose of paying the existing indebtedness of said district at the time of said issue, and for the purpose of erecting, furnishing, and equipping a new high school building, under authority from said district; *provided, however*, that none of said bonds shall be sold at any time at less than their par value.

SEC. 2. In the event of the consolidation of the New Haven city school district with the city of New Haven, the authority hereinbefore given is hereby conferred upon the board of education of the city of New Haven; said bonds to be issued in the name and upon the credit of said city in such manner as may be provided by law for the execution and authentication of bonds issued by and in behalf of said city, and said bonds shall be issued only for the purposes aforesaid. The board of finance of said city shall provide for the payment of principal and interest of said bonds, in the same manner provided by law for the payment of other obligations of said district.

Approved, March 23, 1897.

AUTHORIZING THE CITY OF NEW HAVEN TO BORROW MONEY FOR THE PURPOSE OF BUILDING A SCHOOLHOUSE.

SECTION 1. That the city of New Haven is hereby authorized and empowered to borrow money, at such times, and in such amounts, not exceeding in the aggregate the sum of fifty thousand dollars, and upon such terms as may be approved by the board of finance of said city, for the building, equipment, and furnishing of a new schoolhouse in the Webster district, within the New Haven

city school district, and to issue a note or notes of said city for the sum so borrowed as aforesaid.

SEC. 2. The proceeds of such loan or loans shall be appropriated and used for the building and equipment of a schoolhouse in said Webster district as aforesaid, and may be expended for such purpose in accordance with appropriations already made therefor.

SEC. 3. All money borrowed under authority of this resolution and any and all notes issued therefor as aforesaid, and all interest thereon, shall be fully paid and discharged by said city of New Haven out of money raised by said city by taxation in the year 1906.

Approved, May 19, 1905.

AN ACT AUTHORIZING THE CITY OF NEW HAVEN TO ISSUE
BRIDGE BONDS.

SEC. 1. That the city of New Haven be, and the same hereby is, authorized and empowered to issue under the corporate name and seal, and upon the credit of said city, bonds or other certificates of debt to an amount not exceeding in the whole the par value of one hundred thousand dollars, which bonds shall be denominated bridge bonds of the city of New Haven, and the same or the avails thereof when sold may be appropriated by said city, by the vote of its court of common council, to the payment of any expenses incurred by said city in the construction of new bridges, and for no other purposes.

SEC. 2. Said bonds may be issued in such sums, and shall be prepared, signed, and authenticated in such manner as said city by its court of common council may determine; shall be made payable not more than twenty years from the date of their issue; shall bear interest at the rate of not exceeding four per centum per annum, payable semi-annually; and may be sold from time to time under the direction of the mayor and aldermen of said city; and said bonds or certificates, when issued as aforesaid, shall be obligatory upon the city of New Haven to all intents and purposes, and may be enforced and collected in the same manner and to the same extent that debts contracted by municipal corporations in this state are enforced.

Approved, July 1, 1895.

AUTHORIZING THE CITY OF NEW HAVEN TO ISSUE BRIDGE BONDS.

SEC. 1. That the city of New Haven be and hereby is authorized and empowered to issue, under the corporate name and seal and upon the credit of said city, bonds or other certificates of debt to an amount not exceeding in the whole two hundred and ninety thousand dollars, which bonds shall be denominated bridge bonds of the city of New Haven, and the same or the avails thereof, when sold, may be appropriated by said city, by the vote of its court of common council, to the payment of any expenses incurred by said city in the construction of bridges and the approaches thereto, and for no other purposes.

SEC. 2. Said bonds may be issued in such sums, and shall be prepared, signed, and authenticated in such manner, as said city by its court of common council may determine; shall be made payable not more than twenty years from the date of their issue; shall bear interest at the rate of not exceeding four per centum per annum, payable semi-annually; and may be sold from time to time under the direction of the mayor and aldermen of said city; and said bonds or certificates, when issued as aforesaid, shall be obligatory upon the city of New Haven to all intents and purposes, and may be enforced and collected in the same manner and to the same extent that debts contracted by municipal corporations in this state are enforced.

SEC. 3. None of the bonds issued by the city of New Haven under the authority of this resolution shall be sold below par.

Approved, March 24, 1897.

AN ACT RELATING TO A BRIDGE OVER WEST RIVER IN THE TOWN OF ORANGE.

SEC. 1. Whenever the United States government, for the benefit of commerce, shall order a new bridge over the main channel of West river, at Kimberly avenue, in the town of Orange, whether the same be a raised, draw or lift bridge, or such changes to be made in the existing bridge on said avenue as shall require the construction of a new bridge, one-half the cost of such bridge, of its construction and approaches, and of its maintenance, shall be borne by the city of New Haven, and the other half by the town of Orange; and if a draw or lift bridge is ordered, the cost of its

operation shall also be borne equally by the city of New Haven and the town of Orange.

SEC. 2. Whenever the order or orders contemplated in section one of this act shall be made by the government of the United States, the division line between the city of New Haven and the town of Orange, between the points hereinafter mentioned, shall thereafter be as follows: commencing at a point in the center of West river where the tracks of the New York, New Haven and Hartford Railroad Company cross the same, thence extending southerly along the center of the main channel of said West river until it is intersected by a line running from a point of the beach in New Haven harbor north eighty degrees west.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved, June 12, 1897.

PROVIDING FOR DRAINAGE IN THE TOWN OF NEW HAVEN.

SEC. 1. The town of New Haven, acting by and through the board of selectmen thereof, is authorized and empowered within the limits of said town to take, acquire, appropriate, and hold for the purposes of drainage and sewerage, and to protect and preserve the public health, at such times and in such manner as the public health in the opinion of said board of selectmen may require, real and personal property, and any and all streams and water-courses, natural and artificial, or any portion thereof, and any rights connected therewith, may also raise, fill up, and drain low grounds, may deepen, clear out, alter and straighten said streams and water-courses, remove therefrom, and from the bounds thereof, all buildings, walls, dams, and obstructions of all kinds, construct and maintain sewers and other channels for the flow of water, maintain and establish the bounds of said water courses, streams, sewers and channels, within which it shall not be lawful for any person to place or continue any building, wall, dam or other obstruction, without a written consent from said board of selectmen.

SEC. 2. Said selectmen, with their agents, may enter upon any lands to make preliminary surveys and measurements to carry into effect the provisions of this act.

SEC. 3. Before taking any property or rights under this act, said selectmen shall cause to be made a survey and map containing

a description, so far as practicable, of the lands, streams and water-courses, and rights to be taken and appropriated, and shall cause reasonable notice to be given to all known owners of land, streams, or rights proposed to be taken, to appear before said board, at such time and place as shall be designated in said notice, and show cause, if any they have, why such lands, streams, water-courses, or rights should not be taken and appropriated. Such notice shall be written or printed, signed by at least a majority of the board of selectmen, and a copy thereof left by any person, at least six days before the day appointed for the hearing, with or at the usual place of abode, if within the town of New Haven, of such owner, shall be sufficient notice to such owner.

Any judge of the supreme court of errors or superior court, or court of common pleas, may, by his order of notice, direct what notice shall be given to owners who reside out of said town of New Haven, and notice given pursuant to such order of notice shall be sufficient. Said board of selectmen shall meet at the time and place specified in said notice, and may adjourn from time to time, and to such place as may to them seem best, and said board shall hear all parties in interest who may appear before them to object to the proposed action. And said board of selectmen may alter and vary their proposed action, taking more or less land, property, and rights, as may to them seem best, and immediately after such hearing shall have been completed, said selectmen shall cause said survey and map embracing any such alterations as may have been determined upon to be filed in the office of the town clerk of New Haven, and thereupon such lands, property, streams, water-courses, and rights shall be deemed to be taken and appropriated for public use, and said board of selectmen may thereupon proceed to occupy said lands, property, streams and water-courses.

SEC. 4. The special benefits accruing to any person whose property is specially benefited by reason of any act done or improvement made under this act shall be payable by such person to said town, and all damages done shall be paid by such town. If said board of selectmen do not agree with the parties interested as to the benefits to be assessed on account of any act done or improvement made under this act, any judge of the supreme court of errors or superior court shall, on application of said selectmen or of any person interested, or whose property or rights are taken, after causing such notice of the pendency of such application as

he shall deem just and reasonable, appoint three judicious and disinterested freeholders of the county of New Haven, to estimate the damages and benefits resulting from said acts or improvements, and said committee having been duly sworn and having given notice of the time and place of their meeting for the purpose aforesaid, by publishing the same not less than twice in a newspaper published in the town of New Haven, and by giving notice to all known owners, residing in the state of Connecticut, of lands or rights to be taken and appropriated, by causing a copy of a notice signed by a majority of said committee, of the time, and place and purpose of said meeting, to be left with or at the last usual place of abode of such owner, at least six days before the time appointed for such hearing, shall meet at the time and place designated, and adjourn from time to time, and having heard all parties in interest who shall appear, shall determine what parties will be damaged by said acts and improvements, in excess of special benefits, and the amount thereof, also what parties owning or interested in lands, easements, or rights within a reasonable distance of said improvements, or where such acts are done, will receive special benefit; said committee shall report in writing, to the superior court of New Haven county, on the first Tuesday of the month, except July and August, next succeeding the day of their last meeting herein provided for, and said court may confirm, correct by re-assessment or otherwise, or set aside said report, as he may deem just, in which latter case said committee, or a new one to be then appointed by said court, shall proceed as before, and said report being finally accepted by said court, all corrections determined upon by said court having been made, said proceedings and report shall be recorded by the clerk of said court, and the award of damages and benefits therein contained shall be final; and said original papers shall be kept by said clerk among the files and records of said court, and execution shall be issued in favor of each person entitled thereto for such damages so awarded to him.

SEC. 5. Such assessments of benefits shall not be limited to the amount of damages assessed, and shall be and remain a lien upon the land or other property specially benefited as assessed; *provided*, that such lien shall not remain for a longer period than sixty days after such report has been accepted by said court, unless the said board of selectmen shall file with the town clerk of said

towns within sixty days a certificate signed by a majority of said selectmen, describing the property on which the lien exists, and the amount claimed as a lien thereon.

SEC. 6. All amounts due said town under this act shall be collected by the tax collector, he having received a proper warrant therefor under the hands of said selectmen, in the same manner as taxes due said town are collected.

SEC. 7. If no person can be found to receive the amount of damages assessed, or if any person refuse to receive the amount assessed to him as damages, such sums shall be deposited with the town treasurer to the credit of the person entitled thereto.

SEC. 8. No act shall be done pursuant to this act within the limits of the city of New Haven, without the written consent of the board of road commissioners, or by virtue of a resolution of the board of aldermen of said city; and said selectmen shall erect and maintain dams and flood gates if required by the board of health of said city, and operate the same as may be directed from time to time by said board, and shall cause the sewerage and drainage herein provided for to be done and performed under the supervision of said board of health, and shall cause such filling and other things and acts to be done as in the opinion of said board of health may be necessary to promote, protect, and preserve the public health.

SEC. 9. The action of a majority of the members of said board of selectmen or of said committee shall in all cases be deemed the action of the whole board or committee, as fully as if every member thereof were present and participated in such action, and no member of said committee, in this act provided, shall be disqualified or be deemed interested by reason of his being a taxpayer of said town or city of New Haven, or residing therein.

SEC. 10. This act shall be a public act and shall take effect from its passage.

Approved, April 14, 1881.

AUTHORIZING THE CITY OF NEW HAVEN TO ISSUE SEWERAGE BONDS.

SEC. 1. That the city of New Haven be and hereby is authorized and empowered to issue under the corporate name and seal, and upon the credit of said city, bonds or other certificates of debt to

an amount not exceeding in the whole two hundred and fifty thousand dollars, which bonds shall be denominated Sewerage Bonds of the City of New Haven, and the same, or the avails thereof when sold, may be appropriated by said city to the payment of any expenses incurred by said city in the construction of sewers in said city.

SEC. 2. Said bonds may be issued in such sums, and shall be prepared, signed, and authenticated in such manner as said city by its board of aldermen may determine; shall be made payable not more than twenty years from the date of their issue; shall bear interest at the rate of not exceeding four per centum per annum, payable semi-annually; and may be sold from time to time under the direction of the mayor and board of aldermen of said city; and said bonds or certificates, when issued as aforesaid, shall be obligatory upon the city of New Haven to all intents and purposes, and may be enforced and collected in the same manner and to the same extent that debts contracted by municipal corporations in this state are enforced.

Approved, April 12, 1905.

TO PROVIDE FUNDS FOR THE MAINTENANCE OF THE PUBLIC PARKS IN THE CITY OF NEW HAVEN.

SECTION 1. The court of common council and the board of finance of the city of New Haven may annually assess upon the grand list one-fifth of one mill on the dollar for the maintenance and improvement of the public parks in the city of New Haven.

SEC. 2. The receipts from the assessment provided for in section one of this act shall be expended under the direction of the New Haven commission of public parks, for improvements made upon the public parks of said city.

SEC. 3. Not more than six thousand dollars of said receipts shall be expended in any one year upon any one park in said city.

SEC. 4. The board of finance of said city may appropriate from any balance in the treasury of said city, not otherwise appropriated, the sum of seven thousand dollars for the purchase of land for park purposes, and the improvement of the public parks in said city by and under the control and management of the New Haven

commission of public parks during the year ending December 31, 1901.

SEC. 5. All acts and parts of acts inconsistent herewith are hereby repealed.

SEC. 6. This act shall take effect from its passage.

Approved, April 16, 1901.

AUTHORIZING THE CITY OF NEW HAVEN TO FUND ITS FLOAT-
ING INDEBTEDNESS AND TO ISSUE BONDS THEREFOR.

SECTION 1. That the City of New Haven is hereby authorized to retire the floating indebtedness of said city, as the same existed on the thirty-first day of December, 1904, by an issue of bonds not exceeding in the aggregate two hundred and fifty-four thousand dollars.

SEC. 2. Within three months after the passage of this resolution the board of finance of said city shall provide for the issue of bonds sufficient in amount to retire said floating indebtedness. Said bonds shall be issued under the direction of said board of finance, in such denominations and at such rate of interest, not to exceed four per centum per annum, as may be determined by said board, and shall be made payable as follows: twenty-five thousand dollars twenty years from the date of said bonds, and the remainder in like amounts annually thereafter; said bonds shall be prepared, signed, and authenticated in such manner as said board shall determine, shall be issued under the corporate name and seal and upon the credit of said city, and shall be obligatory upon the city of New Haven to all intents and purposes according to their tenor.

SEC. 3. The said bonds, or their proceeds, shall be used to retire and pay such floating indebtedness under the direction of said board of finance.

SEC. 4. Said board of finance, after said indebtedness shall have been so funded, in making estimates of income and appropriations for expenditures, shall take into account any surplus of receipts over expenditures for the fiscal year preceding that for which such estimates and appropriations are to be made, or, as the case may be, any excess of expenditures over actual receipts for such year, and shall provide in its appropriations for expenditures for the making up or payment in full of any deficiency; it being the intent of

this resolution after the floating indebtedness shall have been funded as herein provided, that deficiencies and indebtedness caused thereby shall be immediately and wholly extinguished out of the taxes to be laid for the next succeeding year after that in which such deficiency may have occurred.

Approved, June 30, 1905.

AMENDING THE CHARTER OF THE CITY OF NEW HAVEN AND
ABOLISHING THE BOARD OF COUNCILMEN
OF SAID CITY.

SECTION 1. The board of councilmen of the city of New Haven is hereby abolished on and after the first week day of June, 1902.

SEC. 2. All of the powers and duties heretofore vested or imposed by the charter of said city, or by any special or public act of the general assembly, in or upon the court of common council of the city of New Haven, are hereby vested and imposed in and upon the board of aldermen on and after the first week day of June, 1902.

SEC. 3. Section six of the charter of said city is hereby amended to read as follows: On the third Tuesday of April, 1902, the freemen of said city shall elect by ballot from among their number, as prescribed by law, six aldermen at large, who shall hold their respective offices for the term of one year from and after the first week of June next succeeding their election. On the third Tuesday of April, 1903, and on the third Tuesday of April in every second year thereafter, the freemen of said city shall elect by ballot from among their number, as prescribed by law, a mayor, controller, treasurer, clerk, collector, city sheriff, and six aldermen at large, who shall hold their respective offices for the term of two years from and after the first week day of June next succeeding their election. No person shall vote for more than four aldermen at large at any election.

SEC. 4. Section seven of the charter of said city is hereby amended to read as follows: In each of the wards of said city which bears an odd number, the freemen thereof shall, on the third Tuesday of April, 1902, and the third Tuesday of April in each second year thereafter, elect by ballot, as prescribed by law, one alderman, who shall hold office for the term of two years from and

after the first week day of June next succeeding his election. In each of the wards of said city which bears an even number, the freemen thereof shall, on the third Tuesday of April, 1903, and on the third Tuesday of April in each second year thereafter, elect by ballot, as prescribed by law, one alderman, who shall hold office for a term of two years from and after the first week day of June next succeeding his election.

SEC. 5. Section eight of the charter of said city is hereby repealed.

SEC. 6. Section ten of the charter of said city is hereby amended to read as follows: The Mayor shall be chief executive officer of the city, and shall be at least thirty years of age. He shall have been a legal voter and resident of the city for the five years immediately preceding his election, and shall reside in the city during his term of office. Whenever there shall be a vacancy in the office of mayor, or whenever the mayor shall be prevented by absence from the city, by illness, or by any other cause, from attending to the duties of his office, the president of the board of aldermen, and in his absence such president *pro tempore* as the board of aldermen may elect, shall act as mayor until the mayor or such president of the board of aldermen, as the case may be, is again able to assume the duties of his office or until the vacancy shall be filled by election, and said acting mayor shall have all the rights, powers, and duties of said mayor, except the powers of appointment and removal, until the vacancy is filled or the mayor is again able to act.

SEC. 7. Section forty-one of the charter of said city is hereby amended to read as follows: There shall be in said city a department of finance, which shall be under the control of a board consisting of the mayor, who shall be its presiding officer, the controller, two aldermen, who shall be elected by the board of aldermen in the month of June in each year, and three citizens, none of whom shall hold any other office in said city government, and to be appointed as hereafter provided; but said elections and appointments shall be so made that not more than four members of said board shall at any time belong to the same political party. The necessary expenses of said board shall be paid by the city, but no member of the board shall be paid for his services.

SEC. 8. Section eighty-seven of the charter of said city is hereby amended to read as follows: The three citizen commissioners of

East Rock park aforesaid shall hold their respective positions, and their successors shall be appointed, pursuant to the provisions of the act incorporating East Rock park in the city of New Haven, passed at the January session, 1880, and amendments thereto. The citizens appointed as park commissioners by the mayor, under the act of 1897, shall continue to hold office during the terms for which they were appointed, unless sooner removed for cause in accordance with the provisions of the charter of the city of New Haven; and in the month of December, 1899, and in each December thereafter, the mayor shall appoint one citizen as a park commissioner, to hold office for three years from the first day of January next following. In the month of May, 1902, and in every second May thereafter, the mayor shall appoint two aldermen to be park commissioners during their term of office. No park commissioner shall be removed except by a vote of the board, but the mayor may fill any vacancy that may occur, except among the commissioners of East Rock park, by appointment of the same character for the unexpired term.

SEC. 9. Section ninety-nine of the charter of said city is hereby amended to read as follows: There shall be in said city a department of the public library, which shall be under the management and control of a board of library directors. Said board of directors shall have charge of all the property of said city used for the purposes of said library, and shall direct the expenditures of all money placed at its disposal by the city, from whatever source derived. Said board shall consist of nine directors, who shall be residents of said city and serve without pay. The members of said board of directors holding office when this act takes effect shall continue to hold their respective offices until the term for which they were appointed shall expire, unless sooner removed for cause in accordance with the provisions of the charter of said city. In January, 1900, and in every third year thereafter, the mayor shall appoint one director, who shall hold office for three years from the date of his appointment; and in January, 1901, and every third year thereafter, and in January, 1902, and every third year thereafter, the mayor shall appoint three directors to hold office for three years from the date of their appointment. In January, 1902, and annually in said month thereafter, the mayor shall also appoint two directors of said library to hold office for the re-

mainder of said year, who shall be members of the board of aldermen.

SEC. 10. The assistant city clerk of said city shall be clerk of the board of aldermen and make true and regular entries of all votes and proceedings of the said board of aldermen.

SEC. 11. Section one hundred and twenty-nine of the charter of said city is hereby amended to read as follows: No by-law or ordinance shall be put upon its passage in the board of aldermen until it shall have been printed for examination, and no by-law or ordinance shall be put upon its passage until it shall have been referred to and reported by a suitable committee after a public hearing. No other vote, resolution, or measure, except reports from the director of public works concerning assessments, shall be put upon its passage, except by unanimous consent, until it shall have been referred to and reported by a suitable committee after a public hearing, nor until, after the report of such committee, it has been twice read to said board. But the second reading of such vote, resolution, or measure shall not take place until at least one week has elapsed from the time of the first reading, unless the mayor shall send to said board a special message reciting that the particular vote, resolution, or measure is of an emergency nature and that immediate action is necessary, in which event such second reading may take place upon the same day of the original reading, and the printing of the same be dispensed with. Every such vote, resolution, or measure shall, after the same has been reported by an appropriate committee, be printed for examination at the request of one-fifth of the members present, except in the instance of an emergency message from the mayor. No ordinance shall be of force or effect until it shall have been published at least three times in all of the daily papers published in said city, nor until one week after its enactment.

SEC. 12. This act shall be a public act, and all words, phrases, acts, or parts of acts, public or private, inconsistent herewith are hereby repealed so far as the effect upon this act is concerned; but no acts hitherto repealed shall be revived by such repeal. No rights, privileges, or immunities vested in said city or in any person against said city shall be deemed to be impaired by such repeal, and all actions brought against said city, or prosecutions for the breach of any ordinance or by-law, shall be proceeded with as though this act had not been passed. All offenses committed or

penalties incurred shall be prosecuted as though this act had not been passed. Said repeal shall not affect any act done or right allowed unless by law otherwise provided. All lawful city ordinances and any regulations or by-laws of said city in force and not inconsistent herewith are hereby continued in effect until the same shall be duly amended by competent authority; *provided*, that all such ordinances, regulations, and by-laws shall be deemed to be and hereby are amended so as to confer upon the proper officers and boards the power and authority and duties that are hereby conferred or imposed upon them. And all powers and authority conferred by the ordinances now in force upon the court of common council are hereby conferred upon and vested in the board of aldermen.

SEC 13. Sections three, four, five, eight, and nine of this act shall take effect from its passage. All the other sections of this act shall take effect on the first week day of June, 1902.

Approved, June 14, 1901.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW HAVEN AND PROVIDING FOR BIENNIAL ELECTIONS OF CITY OFFICERS.

SECTION 1. Section six of the charter of the city of New Haven is hereby amended to read as follows: On the first Monday of October, 1907, and on the first Monday of October in every second year thereafter, the freemen of said city shall elect by ballot from among their number, as prescribed by law, a mayor, controller, treasurer, clerk, collector, city sheriff, and six aldermen at large, who shall hold their respective offices for the term of two years from and after the first week day of January next succeeding their election. No person shall vote for more than four aldermen at large at any election.

SEC. 2. Section seven of said charter is hereby amended to read as follows. In each of the wards of said city which bears an odd number the freemen thereof shall, on the Tuesday after the first Monday of November, 1906, elect by ballot as prescribed by law, one alderman who shall hold office for the term of one year from and after the first week day of January next succeeding his election. In each of the wards of said city the freemen thereof shall, on the first Monday of October, 1907, and on the first Monday of October in each second year thereafter, elect by ballot as prescribed by law

one alderman who shall hold office for the term of two years from and after the first week day of January next succeeding his election.

SEC. 3. The alderman elected in each of the wards of said city which bears an odd number, whose term of office would, except for this provision, expire on the first week day of June, 1906, shall hold office until the first week day of January, 1907. The alderman elected in each of the wards of said city which bears an even number, whose term of office would, except for this provision, expire on the first week day of June, 1907, shall hold office until the first week day of January, 1908. The mayor, controller, treasurer, clerk, collector, city sheriff, and six aldermen at large, whose terms of office would, except for this provision, expire on the first week day of June, 1907, shall hold their respective offices until the first week day of January, 1908.

SEC. 4. The following officers of said city appointed by the mayor, and whose terms of office would, except for this provision, expire July 1, 1907, shall hold their respective offices until February 1, 1908, namely: the corporation counsel, the superintendent of charities and correction, and the other two members of the board of charities and correction.

SEC. 5. The following officers of said city appointed by the mayor prior to June 1, 1906, shall continue to hold their respective offices for the six months next following the date on which their terms would, except for this provision, have expired, namely: each of the citizen members of the board of finance, each of the members of the board of police commissioners, each of the members of the board of fire commissioners, the director of public works, each of the members of the board of health, each of the members of the board of assessors, each of the members of the board of relief, and each of the members of the bureau of compensation.

SEC. 6. The following officers of said city appointed by the mayor prior to June 1, 1907, for the term during which such mayor was elected, shall continue to hold their respective offices until January 1, 1908, and until their successors are appointed and duly qualified, namely: the assistant corporation counsel, the superintendent of streets, and the superintendent of sewers.

SEC. 7. Section fifteen of said charter is hereby amended by striking out the word and figures "June, 1901," in the ninth line and inserting in lieu thereof the word and figures "January, 1908," so striking out the word "July," in the eleventh line thereof and in-

serting in lieu thereof the word "February," so that the said sentence of said section shall read as follows: In the month of January, 1908, the mayor shall and in every second January thereafter the mayor may appoint such corporation counsel, to serve for two years from the first day of February next after his appointment and until his successor is chosen and has duly qualified.

SEC. 8. Section eighteen of said charter is hereby amended by striking out the word and figures "June, 1901," in the first line and inserting in lieu thereof the word and figures "January, 1908," so that said section as amended shall read as follows: During the month of January, 1908, and biennially thereafter, the mayor shall appoint an assistant corporation counsel to hold office during the term for which said mayor shall have been elected and until the successor of such assistant corporation counsel shall be appointed and duly qualified, who shall perform such services as directed by the corporation counsel, and shall attend to the collection of unpaid taxes, liens, and other indebtedness due the city.

SEC. 9. Section thirty-six of said charter is hereby amended by striking out the words "June in each year" in the second line and inserting in lieu thereof the words "January, 1907, and of each year thereafter," so that the first sentence of said section as amended shall read as follows: The court of common council shall, during the month of January, 1907, and of each year thereafter, appoint an assistant city clerk, who, after having taken the oath or affirmation provided by law for the clerk of said city, shall, in the absence or disability of said clerk, have power to perform all the duties of said clerk. Said section thirty-six is also amended by adding at the end thereof the following: "The assistant city clerk in office May 31, 1906, shall continue to hold his office until January 1, 1907."

SEC. 10. Section thirty-nine of said charter is hereby amended to read as follows: The mayor's secretary in office May 31, 1907, shall continue to hold his office until the first week day of January, 1908. During the month of January, 1908, and biennially thereafter, the mayor shall appoint a secretary who shall be under the direction of the mayor. In addition to his duties as secretary to the mayor, he shall perform such other duties as may be by ordinance prescribed.

SEC. 11. Section forty-one of said charter as amended is hereby amended to read as follows: There shall be in said city a department of finance, which shall be under the control of a board consisting of the mayor, who shall be its presiding officer, the con-

troller, and, after June 1, 1904, one alderman, who shall be elected by the board of aldermen in the month of January, 1907, and each year thereafter, and six citizens, none of whom shall hold any other office in said city government, and to be appointed as hereafter provided; but said elections and appointments shall be so made that not more than five members of said board shall at any time belong to the same political party. The necessary expenses of said board shall be paid by the city, but no member of the board shall be paid for his services. The aldermen elected by the board of aldermen to be a member of the board of finance of said city, and who shall be serving as such member of the board of finance on May 31, 1906, shall continue to be a member of the board of finance until January 1, 1907.

SEC. 12. Section forty-three of said charter as amended by an act approved June 22, 1903, is hereby amended to read as follows: In the month of January, 1907, and in each January thereafter, the mayor shall appoint three citizen members of said board for a term of two years from the first day of February next succeeding.

SEC. 13. Section forty-eight of said charter is hereby amended to read as follows: During the month of January, 1907, and in each January thereafter, the mayor shall appoint two members of said board for a term of three years from the first day of February next succeeding. No more than three members of said board shall at any one time belong to the same political party.

SEC. 14. Section fifty-six of said charter is hereby amended to read as follows: During the month of January, 1907, and in January of each year thereafter, the mayor shall appoint for a term of three years from the first day of February next succeeding such number of commissioners as may be necessary to fill vacancies arising by reason of the expiration of terms. Not more than three members of said board shall at any one time belong to one political party. Whenever a vacancy shall hereafter exist in the office of chief the mayor shall appoint a new chief, who shall only be removable as provided for other appointees of the mayor. The present superintendent of the fire department of the city of New Haven shall be and remain subject to the provisions of said charter, the chief of the fire department of the city of New Haven.

SEC. 15. Section seventy-three of said charter as amended by an act approved June 10, 1901, is hereby amended by striking out the word and figures "June, 1901," and inserting in lieu thereof the

word and figures "January, 1908," so that the last sentence of said section as amended shall read as follows: During the month of January, 1908, and biennially thereafter, the mayor shall appoint a director of public works to hold office during the term for which said mayor shall have been elected and until the successor of such director shall be appointed and duly qualified.

SEC. 16. Section seventy-five of said charter as amended by an act approved June 10, 1901, is hereby amended by striking out the word and figures "June, 1901," and inserting in lieu thereof the word and figures "January, 1908," so that the first sentence of said section as amended shall read as follows: During the month of January, 1908, and biennially thereafter, the mayor shall appoint all heads of bureaus provided for in paragraphs one and two of section seventy-six of the charter of said city to hold office during the term for which said mayor shall have been elected and until their successors be appointed and duly qualified.

SEC. 17. Section seventy-six of said charter is hereby amended in paragraph four thereof by striking out commencing in the seventh line of said paragraph four the words "The members of the bureau of compensation holding office when this act takes effect shall continue to hold office until the expiration of the terms for which they were appointed, unless removed in accordance with the provisions of this act; and," and the remainder of said sentence is hereby amended so that the last sentence of said paragraph four as amended should read as follows: In the month of January, 1907, and each January thereafter, the mayor shall appoint one member of said bureau for a term of three years from the first day of February next succeeding.

SEC. 18. Section eighty-seven of said charter is hereby amended to read as follows: The three citizen commissioners of East Rock park aforesaid shall hold their respective positions, and their successors shall be appointed, pursuant to the provisions of the act incorporating East Rock park in the city of New Haven, passed at the January session, 1880, and amendments thereto. And in the month of January, 1906, and in each January thereafter, the mayor shall appoint one citizen as a park commissioner, to hold office for three years from the first day of February next following. In the month of January, 1907, and in every second January thereafter, the mayor shall appoint two aldermen to be park commissioners during their term of office. No park commissioner shall be removed except by

a vote of the board, but the mayor may fill any vacancy that may occur, except among the commissioners of East Rock park, by an appointment of the same character for the unexpired term. The citizen members of the board of park commissioners who shall have been appointed by the mayor prior to January 1, 1906, shall continue to hold their respective offices for one month after the time when their respective terms of office would, except for this provision, have expired.

SEC. 19. Section ninety-three of said charter is hereby amended in the last sentence thereof, so that said last sentence as amended shall read as follows: In the month of January, 1907, and in every January thereafter, the mayor shall appoint one member of said board to hold office for a term of five years from the first day of February next following his appointment.

SEC. 20. Section two hundred and one of said charter is hereby amended by striking out commencing in the third line thereof the words "All persons who are at present members of said board of charities and correction shall continue to hold office during the terms for which they were appointed unless they shall be sooner removed for due cause according to the provisions of this act," and the sentence next following is hereby amended to read as follows: During the month of January, 1908, and biennially thereafter, the mayor shall appoint a board of three members to serve for a term of two years from the first day of February following their appointment.

SEC. 21. Section two hundred and nine of said charter is hereby amended by striking out the first sentence of said section and inserting in lieu thereof the following: "The selectmen and constables elected to hold office for one year from the first week day of June, 1905, shall continue to hold their respective offices until the first week day of January, 1907. There shall be elected on the Tuesday after the first Monday of November, 1906, and on the Tuesday after the first Monday of November of every second year thereafter, five selectmen and five constables, who shall hold office for one year from the first week day in January next following their election. There shall be elected on the first Monday of October, 1907, and on the first Monday of October in every second year thereafter, five selectmen and five constables, who shall hold office for one year from the first week day in January next following their election; *provided, however*, that if the certain proposed amendment to the constitution concerning the election of selectmen and officers of

local police, which was passed in the house of representatives of the general assembly, May 20, 1903, shall be finally adopted and become effective, and if the electors of the town of New Haven shall so determine, the selectmen and constables shall be elected biennially, beginning with the election to be held the first Monday of October, 1907, and the selectmen and constables then and thereafter elected, shall hold office for two years from the first week day in January next succeeding their election, and there shall be no election of selectmen or constables thereafter, excepting only in every second year after 1907.

SEC. 22. Section two hundred and ten of said charter is hereby amended by striking out the first three sentences thereof, being all that part of said section which precedes the words "the powers and duties of said registrars" in the fifteenth and sixteenth lines and inserting in lieu thereof the following: "The town clerk, the registrar of vital statistics, the grand jurors, and the registrars of voters, elected to hold office for two years from the first week day of June, 1905, shall continue to hold their respective offices until the first week day of January, 1908. The city of New Haven shall, at the election to be held on the first Monday of October, 1907, and biennially thereafter, elect a town clerk for the town of New Haven, who shall hold his office for the term of two years from the first week day of January next succeeding his election, and shall perform all the duties imposed by law upon the town clerks of other towns. The city of New Haven shall, at the election to be held on the first Monday of October, 1907, and biennially thereafter, elect a registrar of vital statistics, grand jurors, and registrars of voters, each to serve for two years from the first week day of January next succeeding his election"; also by striking out at the end of said section the words "All elections in said town shall hereafter be held on the third Tuesday of April in each year, beginning with the April election, 1902."

SEC. 23. Section two hundred and eleven of said charter is hereby amended by striking out the third sentence beginning with the words "In the month of June, 1900," in the sixth line and inserting in lieu thereof the following: "In the month of January, 1907, and annually thereafter, the mayor shall appoint one assessor to serve for five years from the first day of February next following his appointment."

SEC. 24. Section two hundred and twelve of said charter is hereby amended by striking out the third sentence beginning with the words "In the month of June, 1900," in the sixth line and inserting in lieu thereof the following: "In the month of January, 1907, and annually thereafter, the mayor shall appoint one member of the board of relief to serve for three years from the first day of February next following his appointment."

SEC. 25. Section 165 of an act revising the charter of the city of New Haven, approved June 20, 1899, is hereby amended by substituting in the second sentence thereof for the words "an assistant clerk" the words "two assistant clerks," so that said section when so amended shall read as follows: The judge and associate judge of said court shall be appointed by the general assembly and shall severally hold office for the term of two years from and after the first day of April following their appointment and until their respective successors shall have duly qualified. The judge of said court shall appoint a city attorney, an assistant city attorney, a clerk, and two assistant clerks of said court, each of whom may be removed by said judge for cause, and each of whom shall hold office during the term of the judge appointing him, unless sooner removed and until his successor is duly appointed and has qualified. The judge and associate judge shall take the oath provided by law for judicial officers. No person who is not a resident and elector of the city of New Haven shall hold any office in said court. No official of said court shall act as attorney in either the civil or criminal part of said court except in the discharge of his official duties.

SEC. 26. Section 167 of said act is hereby amended by substituting in the first line thereof for the words "assistant clerk" the words "the assistant clerks," and by striking out the last sentence thereof and substituting in the place thereof the following: "The assistant clerks shall each have all the powers and may perform all the duties of the clerk, subject to his direction," so that said section when so amended shall read as follows: The clerk and the assistant clerks shall each have all the powers and may perform all the duties of the clerk, subject to his direction," so that said section when so amended shall read as follows: The clerk and the assistant clerks of said court shall take the oath prescribed for clerks of courts in this state. Each of them shall execute a bond to said city in the penal sum of five thousand dollars, in form and with security satisfactory to the board of finance of said city, condi-

tioned for the faithful performance of his duties according to law, and said bonds shall be deposited with the controller. But no person or corporation shall be accepted by said board of finance as a surety on such bonds except as authorized in section 159 of this charter. The assistant clerks shall each have all the powers and may perform all the duties of the clerk, subject to his direction.

SEC. 27. This act shall take effect from its passage.

Approved, July 6, 1905.

RELATING TO REGISTRATION OF VOTERS IN NEW HAVEN AND DANBURY WHO ARE INMATES OF THE ALMSHOUSES IN SAID TOWNS.

All electors entitled to vote at any election in the cities or towns of New Haven and Danbury, who are inmates of the almshouses in either of said places, except the paid employes of said municipalities at said almshouses, shall be registered on the list of electors for and vote as residents of their last place of registration in said towns prior to becoming inmates of said almshouses.

Approved, May 14, 1901.

AN ACT CONCERNING MILITARY ENROLLMENT IN THE CITY AND TOWN OF NEW HAVEN.

SEC. 1. All duties imposed upon the selectmen by the general statutes in regard to military enrollment shall be performed in the town of New Haven by the court of common council of the city of New Haven, or by some persons by them duly authorized.

SEC. 2. The military enrollment taken for the year 1899, by the person appointed by the court of common council of the city of New Haven for that purpose, shall be taken and received as the military enrollment for the city and town of New Haven for that year.

SEC. 3. This act shall take effect from its passage.

Approved, March 2, 1899.

AN ACT CONCERNING THE BOARD OF HEALTH IN THE CITY OF NEW HAVEN.

All orders, rules, and regulations passed by the board of health in the city of New Haven shall hereafter control and govern all of the fifteen wards in the city of New Haven.

Approved, April 19, 1899.

SINKING FUND COMMISSION.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW HAVEN.

SEC. 1. There shall be in the city of New Haven a commission which shall be know as the Sinking Fund Commission.

SEC. 2. Said commission shall consist of three members, to be appointed by the mayor, and of those first appointed as members of said commission one shall be appointed to serve for three years, one for six years, and one for nine years, and at the expiration of the term of each one of said commissioners, and every three years thereafter, the mayor shall appoint one member to serve for nine years. All appointments to said commission shall be made from among those persons who have had not less than ten years' experience as directors, trustees, or officials of national, state, or savings banks of said city. The mayor may fill any vacancy which may occur for the unexpired term; but no member of said commission shall be appointed to succeed himself.

SEC. 3. The floating indebtedness of the city of New Haven shall be retired by an issue of bonds, which bonds shall be registered and non-taxable.

SEC. 4. All sinking funds in existence, and all sums of money belonging thereto, shall be transferred to the sinking fund commission, who shall keep all funds transferred to them intact for the purposes for which said sinking funds were created, and apply all money transferred and all that may be added to each of said funds for the purposes and in the manner provided by the act creating such sinking fund.

SEC. 5. The board of finance shall annually appropriate the proceeds of a tax of not less than one-half of one mill on the grand list of the city of New Haven, and such proceeds shall be paid by the tax collector to the sinking fund commission in September of each year so far as it shall have been collected, and as fast as the taxes are collected thereafter the tax collector shall pay to said commission the proceeds of one-half of one mill on the list of each person who shall pay his tax after said date.

SEC. 6. Said board of finance in making appropriations shall each year take into account the amount of bonds to mature, and each year shall make the appropriations so much greater than the proceeds of the tax of one-half of one mill as in their judgment is consistent with the welfare of the city, but in no year shall said board appropriate the proceeds of a tax greater than one mill.

SEC. 7. Said commission shall apply all available funds under its control to the payment of all city, town, and school district bonds as they may mature, investing and holding any unexpended funds to pay any bonds that may subsequently mature.

SEC. 8. Said commission, when it does not have sufficient funds to meet bonds maturing at a given date, shall make written request to the controller to refund such bonds which cannot be paid at maturity, and the controller of the city of New Haven shall have power after said request has received the written approval of the mayor, to issue new bonds to refund those maturing as aforesaid, on such terms as shall be approved by the board of finance, and all premiums derived from the sale of such bonds shall be applied to the sinking fund.

SEC. 9. All bonds issued under this act shall be issued under the direction of the board of finance, and their proceeds shall not become available until such proceeds shall have been regularly appropriated by the board of finance in the same manner as current income.

SEC. 10. All appropriations that may be made, and all taxes laid under the provisions of this act, shall be subject to the control of the court of common council in the same way and manner and to the same extent as are other taxes and appropriations.

SEC. 11. Nothing herein contained shall authorize the issuing of bonds without the authority of the general assembly.

Approved, April 28, 1899.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW HAVEN CONCERNING THE ABATEMENT OF TAXES.

SECTION 1. There shall be in the city of New Haven a committee which shall be known as the tax committee.

SEC. 2. Said committee shall consist of the following members: The mayor, ex officio, the controller, ex officio, the assistant corporation counsel, ex officio, one member of the board of aldermen to be elected by said board of aldermen, and three other citizens to be appointed by the mayor.

SEC. 3. Said committee is hereby authorized to direct as to the settlement, compromise, adjustment, correction, or abatement of any claim for taxes or assessments which now appears on the

books of the tax collector of New Haven to be due to the city of New Haven, including interest and cost of liens.

SEC. 4. It shall be the duty of said tax collector to settle, compromise, adjust, correct, or abate such claims in accordance with such direction, and it shall be the duty of the controller to adjust his accounts in accordance with such direction.

SEC. 5. No deduction or abatement shall be made by said tax committee on the ground that the property on which said tax was laid was assessed at too high a valuation.

SEC. 6. No deduction or abatement made or directed to be made by said committee shall have any effect unless signed by at least five of the members of said committee.

SEC. 7. The city clerk shall be, ex officio, the clerk of said committee. He shall keep, in a book kept for that purpose, a complete and systematic record of all deductions and abatements made by said committee, and shall transmit promptly to said tax collector a copy of the same.

SEC. 8. Neither the clerk nor any member of said committee shall receive any pay for his services.

SEC. 9. The term of said committee shall be from July 1, 1905, to July 1, 1907.

SEC. 10. Any vacancy in said committee shall be filled in the same manner as that in which the previous incumbent was selected.

SEC. 11. This act shall take effect from its passage.

Approved, April 19, 1905.

INCORPORATING "THE TRUSTEES OF THE OLD ALMSHOUSE FARM OF THE TOWN OF NEW HAVEN."

SEC. 1. That Gardner Morse, Wyllys Peck and Henry White, be, and hereby are, with their successors, constituted a body politic and corporate by the name and style of "The Trustees of the old Almshouse Farm of New Haven," and by that name and style, they and their successors shall be and remain a body politic and corporate forever.

SEC. 2. Said corporation is formed for the purpose of more conveniently and efficiently carrying out and performing the duties and trusts contained and specified in a certain deed of trust made and executed to the above named corporators and their heirs, by the selectmen of the town of New Haven, dated November 22d,

1852, and recorded in volume 140 of records of conveyances of said town, page 501, etc.

SEC. 3. The legal title to the lands contained and specified in said deed of trust, which now remain unsold in the hands of the said trustees, is hereby vested in the corporation above created, and said trustees are hereby authorized and empowered to execute any and all such deeds of conveyance to said corporation, as may be necessary for the purpose of perfecting the title of said corporation in and to said lands.

SEC. 4. Said corporation shall hold and possess said lands, in all respects subject to the trusts and conditions contained and specified in said deed of trusts, and not otherwise.

SEC. 5. There shall always be appointed three corporators of said corporation, and whenever a vacancy shall occur, by death, resignation or removal, of any corporator, his place shall be filled by the appointment of a successor by the judge of probate of the town of New Haven, upon the nomination of the selectmen of said town for the then time being.

SEC. 6. The judge of probate aforesaid shall have power to remove a corporator upon the application of the selectmen of the said town, and upon due cause shown before him, said corporator being duly cited to appear and contest such application.

SEC. 7. The corporation hereby created shall be a person in law, capable of suing and being sued, pleading and being impleaded, in all suits of what nature soever; and also of holding and conveying real estate, and investing the rents, profits and proceeds thereof, for the purpose mentioned in the second section of this act; and may have a common seal, and may change and alter the same at pleasure.

SEC. 8. Said corporation may appoint, of its own members, from time to time, a president, secretary and treasurer, and may adopt such rules and regulations for the management of the trust property, consistent with the provisions of the trust deed, as they may see fit.

SEC. 9. The support, maintenance and relief of the entire poor of the town of New Haven, so far as the same shall devolve upon said town, shall hereafter be conducted by the selectmen of said town, through the almshouse, whether such poor shall reside in the almshouse building, or elsewhere; and the selectmen shall have power to make all needful rules and regulations for that purpose, in their discretion.

SEC. 10. This act shall take effect from and after its passage.
Approved, June 6, 1867.

AMENDING THE CHARTER OF THE OLD ALMSHOUSE FARM OF
NEW HAVEN.

SEC. 1. That whenever the town of New Haven, at a town meeting duly warned and held for that purpose shall vote to change the terms of the trusts connected with the funds derived from the sale of the old almshouse farm, by directing that the income thereof be devoted to the maintenance and improvement of the town and city parks of New Haven, The Trustees of the Old Alms House Farm of New Haven, the trustee of said funds, shall conform to such change in the trusts, and shall hold and use said income in such manner as may be directed by such vote.

SEC. 2. Any payment or payments that may be made under such vote of the town shall not be construed as preventing the town of New Haven from making an annual appropriation of ten thousand dollars for the uses and purposes of the New Haven commission of public parks, as now provided by law.

SEC. 3. The receipt of the treasurer of the New Haven commission of public parks shall be a sufficient discharge for The Trustees of the Old Almshouse Farm of New Haven for the payment of said income and its appropriation for the uses aforesaid.

SEC. 4. The selectmen of New Haven shall call a town meeting to vote and determine whether said trusts shall be changed in manner as aforesaid, within ten days after receiving a request to call such meeting, signed by fifty voters and taxpayers of the town.

SEC. 5. So much of the act incorporating The Trustees of the Old Almshouse Farm of New Haven, approved June 6, 1867, and so much of all acts amending said act of incorporation, passed since said date, as are inconsistent herewith, are hereby repealed.

Approved, April 2, 1897.

CONCERNING THE TRUSTEES OF THE OLD ALMSHOUSE FARM OF
NEW HAVEN.

SEC. 1. That the powers, rights, and duties of the selectmen of the town of New Haven, in reference to sales, conveyances, and other transactions of The Trustees of the Old Almshouse Farm of

New Haven, a corporation chartered by this assembly, June 6, 1867, are hereby continued in force, anything in the charter of the city of New Haven, or in an act passed by this assembly at its January session in 1897, entitled "An Act to Consolidate the Governments of the City and Town of New Haven," to the contrary notwithstanding.

SEC. 2. All sales of land, conveyances, and other transactions of said corporation requiring the consent and concurrence of the selectmen of said town, and which have received the same, since the 7th day of December, 1897, are hereby ratified, validated, and confirmed.

SEC. 3. All acts and parts of acts inconsistent herewith are hereby repealed.

Approved, April 19, 1899.

AN ACT ESTABLISHING A COMMISSION ON PUBLIC MEMORIALS.

There shall be in said city a commission on public memorials to consist of three citizens, to be nominated by the mayor and confirmed by the board of aldermen, each to hold office for the term of three years. When this act shall take effect the mayor shall nominate three members of said commission, one for the term of three years from the first day of July, 1905, one for the term of two years from the first day of July, 1905, and one for the term of one year from the first day of July, 1905, and thereafter shall nominate one member of such commission during the month of June in each year for the term of three years from the first day of July following. The members of said commission shall be chosen from such citizens as are especially qualified, by travel, training, and taste, to exercise an intelligent judgment in respect to the matters to be submitted to them. After this act shall take effect all projects for the erection of any public statue, monument, or other memorial on the outside of any city building, or upon any public grounds in or belonging to said city, shall be referred to said commission, and no such memorial shall be erected until its style, design, and material shall have been approved by said commission.

Approved, June 13, 1905.

AN ACT CONCERNING TENEMENT HOUSES.

SECTION 1. This act may be cited as the Tenement House Act, and its provisions shall apply to all cities of over twenty thousand inhabitants, at the time of the most recent United States census and shall also apply to any city or borough of less than twenty thousand inhabitants if the common council of such city or the board of burgesses of such borough shall by ordinance provide that said act shall so apply to such city or borough.

SEC. 2. Certain words used in this act are defined, for the purpose of this act, as follows: (1) A tenement house is any house or building, or portion thereof, which is rented, leased, let, or hired out, to be occupied, or is arranged or designed to be occupied, or is occupied as the home or residence of three families or more, living independently of each other, and doing their cooking upon the premises, and having a common right in the halls, stairways, or yards. (2) A yard is an open unoccupied space on the same lot with a tenement house, between the extreme rear line of the house and rear line of the lot. (3) A court is an open unoccupied space, other than a yard, on the same lot with a tenement house; a court not extending to the street or yard is an inner court; a court extending to the street or yard is an outer court; if it extends to the street it is a street court; if it extends to the yard it is a yard court. (4) A public hall is a hall, corridor, or passageway not within an apartment. (5) A basement is a story partly, but not more than one-half below the level of the grade. (6) A cellar is a story more than one-half below the level of the grade. (7) The word "shall" is mandatory and not directory, and denotes that the house shall be maintained in all respects according to the mandate, as long as it continues to be a tenement house. (8) In determining the number of stories in a tenement house, a basement or an attic shall be counted as a story if it is occupied or designed to be occupied for living purposes.

SEC. 3. No tenement house hereafter erected shall occupy more than ninety per centum of a corner lot, or more than seventy-five per centum of any other lot less than sixty feet in depth, or more than seventy per centum of any other lot sixty feet or more in depth; provided, that the space occupied by fire escapes shall not be deemed a part of the lot occupied. For the purposes of this section the measurements shall be taken at the ground level,

except that where such a building has no basement, and the cellar ceiling is not more than three feet above the grade level, the measurements as to the percentage of the lot occupied may be taken at the level of the second tier of beams. The provisions of this section shall not apply to a tenement house hereafter erected running through from one street to another street; provided, that the lot on which such house is situated does not exceed one hundred feet in depth.

SEC. 4. Behind every tenement house hereafter erected, unless the house extends through from one street to another street, there shall be a yard extending across the entire width of the lot and, except upon a corner lot, at every point open from the ground to the sky unobstructed; but fire escapes or unenclosed outside stairs may project not over five feet from the rear line of the house. The depth of said yard, measured from the extreme rear wall of the house to the rear line of the lot, shall be as set forth in sections five and six of this act.

SEC. 5. Except upon a corner lot, the depth of the yard behind every tenement house hereafter erected, two stories in height, shall be not less than ten feet in every part; and said yard shall be increased in depth one foot for every additional story above two stories in the height of the building.

SEC. 6. The depth of the yard behind every tenement house hereafter erected upon a corner lot shall be not less than ten feet in every part; provided, that where such lot is less than one hundred feet in depth, the depth of the yard may be not less than ten per centum of the depth of such lot, but shall never be less than five feet in every part, nor less than the minimum width of an outer court on the lot line as prescribed by section eight. Where a tenement house hereafter erected on a corner lot has no basement, and the cellar ceiling is not more than three feet above the grade level, said yard may start at the level of the second tier of beams. Where a corner lot is more than fifty feet in width, the yard for that portion in excess of fifty feet shall conform to the provisions of section five of this act.

SEC. 7. No court of a tenement house hereafter erected shall be covered by a roof or skylight, but every such court shall be at every point open from the ground to the sky unobstructed.

SEC. 8. Where one side of an outer court is situated on the lot line, the width of the said court, measured from the lot line

to the opposite wall of the building, for tenement houses hereafter erected, shall be not less than four feet in any part, for houses two stories in height; and for every additional story above the two stories in the height of the said building, such width shall be increased six inches throughout the entire height of said court; but this requirement shall not prevent a building from approaching nearer the lot line; *provided*, that no room in the building obtains its light or ventilation from windows opening upon such narrower court.

SEC. 9. Where an outer court is situated between wings or parts of the same building, or between different buildings on the same lot, the width of the said court, measured from wall to wall, for tenement houses hereafter erected two stories in height, shall be not less than eight feet in any part; and for every additional story above two stories in the height of the said building, such width shall be increased one foot throughout the entire height of the said court.

SEC. 10. Where one side of an inner court is situated on the lot line, the width of the said court, measured from the lot line to the opposite wall of the building, for tenement houses hereafter erected two stories in height, shall be not less than five feet in any part, and the other horizontal dimension shall be not less than ten feet in any part; and for every additional story above two stories in the height of the said building, such width shall be increased one foot throughout the entire height of said court, and the other horizontal dimension shall be increased two feet throughout the entire height of said court.

SEC. 11. Where an inner court is not situated upon the lot line, but is enclosed on all four sides, the least horizontal dimension of the said court, for tenement houses hereafter erected two stories in height, shall be not less than ten feet; and for every additional story above two stories in the height of the said building, the said court shall be increased two feet in each horizontal dimension throughout the entire height of said court.

SEC. 12. Every inner court shall be provided with one or more horizontal in-takes at the bottom. Such in-takes shall always communicate directly with the street or yard, and shall consist of a passageway of not less than five square feet in area, which shall be left open, or if not open there shall be provided in

said passageway open grilles or transoms; and such open grilles or transoms shall not be covered over by glass or otherwise.

SEC. 13. In computing the size of courts and yards, and the percentage of a lot which may be built upon, a mutual gangway between two building lots shall be counted as if divided equally between the two adjacent lots. Nothing contained in the foregoing sections concerning outer and inner courts shall be construed as preventing windows at the angles of said courts; *provided*, that the running length of the wall containing such windows does not exceed six feet. Offsets or recesses in outer or inner courts may be made; *provided*, that the width of such offsets or recesses shall in every case be equal to or greater than the depth. When a tenement house hereafter erected has no basement, the courts mentioned in the preceding sections may start at the level of the second tier of beams.

SEC. 14. No separate tenement house shall hereafter be erected upon the rear of a lot where there is a tenement house on the front of the said lot, nor upon the front of any such lot upon the rear of which there is such a tenement house, unless the distance between the two tenement houses is at least thirty feet.

SEC. 15. In every tenement house hereafter erected every room, except water-closet compartments and bathrooms, shall have at least one window opening directly upon the street, or upon a yard or court of the same lot, of the dimensions specified in sections four to thirteen, inclusive, of this act; and such windows shall be so located as to properly light all portions of such rooms, and shall have a total area in each room of at least one-eighth of the area of the floor of the room.

SEC. 16. In every tenement house hereafter erected, all rooms, except water-closet compartments and bathrooms, shall be of the following minimum sizes: in each apartment there shall be at least one room containing not less than one hundred and twenty square feet of floor area, and each other room shall contain at least seventy square feet of floor area. Each room shall be in every part not less than eight feet six inches high from the finished floor to the finished ceiling; *provided*, that an attic room need be eight feet six inches high in but one-half of its area.

SEC. 17. In every tenement house hereafter erected, the public hall upon each floor shall be provided with a window, or a glazed door, opening to the street, the yard, or upon a court of

the size prescribed in sections seven to thirteen, inclusive, of this act, unless the hall is within three stories from the roof. In every such tenement house three stories or more in height, where the public hall upon the third floor from the roof is not provided with an outside window or an outside glazed door, there shall be a stair-well extending from this floor to the roof, said stair-well to be at least twelve inches wide over this hall and at least eighteen inches wide over the hall above. All doors leading from public halls not provided with outside windows, and more than two stories below the roof, shall be provided with translucent glass panels of an area of not less than five square feet for each door, or with fixed transoms of translucent glass of an area of not less than five square feet over each door, or such hall shall be lighted by an equivalent amount of translucent glass connecting with a lighted room or rooms. Long and devious hallways shall have such additional provisions as may be necessary to give adequate light, subject to the approval of the building inspector.

SEC. 18. In every tenement house hereafter erected, one at least of the windows provided to light each public hall or part thereof shall be at least ten square feet in area, measured between the stop beads. In every such house where the public halls upon each floor are not provided with windows opening directly to the outer air, there shall be in the roofs, directly over each stair-well, a ventilating skylight provided with ridge ventilators having a minimum opening of forty square inches, or such skylight shall be provided with fixed or movable louvres; the glazed roof of such skylight shall be not less than twenty square feet in area.

SEC. 19. In every tenement house hereafter erected there shall be a water-closet in each apartment of four or more rooms, and at least one water-closet for every two apartments of less than four rooms each. Each watercloset shall be in a separate compartment or bathroom, upon the same floor with the apartment which it accommodates. Except as hereinafter provided, each water-closet compartment or bathroom in any tenement house hereafter erected shall have a window opening directly upon the street, a yard, a court, or upon a vent shaft. Every such window shall be of at least three square feet in area, and shall open freely. A water-closet compartment or bathroom, however, if provided with a separate ventilating flue of non-corroding material and of at least thirty-six square inches in area, leading di-

rectly to the roof, may be lighted from an adjoining room or hall by translucent glass in a fixed sash; *provided*, that the glazed surface shall be of at least twelve square feet in area. Every vent shaft in a tenement house hereafter erected shall be constructed of fireproof material; not more than two water-closets or bathrooms shall open upon such a shaft on one floor of a tenement house, and no two water-closets or bathroom windows opening upon such shaft on the same floor shall be opposite each other. No such vent shaft shall be less than thirty inches in either dimension. If the area of such a shaft is less than twelve square feet, every bathroom or water-closet compartment below the upper story and, if the area is less than twenty-four square feet, every bathroom or water-closet compartment below the second story from the roof, and opening into such shaft, shall be provided with additional light through translucent glass windows of at least four square feet in area, connecting with other portions of the tenement. Every such vent shaft shall be uncovered, or shall be provided with openings at the top equal in total area to the area of the vent shaft, and shall be provided with a horizontal in-take or duct at the bottom communicating with the street or yard, or with a court; such duct or in-take shall be not less than two square feet in area, and shall be so arranged as to be easily cleaned out.

SEC. 20. In every apartment of three or more rooms, in a tenement house hereafter erected, access to every living room and bedroom and to at least one water-closet compartment shall be had without passing through any bedroom.

SEC. 21. In tenement houses hereafter erected, no room in the cellar or in the basement shall be constructed, altered, converted, or occupied for living purposes, unless all of the following conditions are complied with: (1) Such room shall be at least eight feet six inches high, in every part, from the floor to the ceiling. (2) The ceiling of such room shall be at least four feet and six inches above the surface of the street or ground outside of or adjoining the same. (3) All walls surrounding such room shall be damp-proof. (4) The floor of such room shall be damp-proof and water-proof.

SEC. 22. The floor of the cellar or the lowest floor of every tenement house shall be water-tight, and the cellar ceiling shall

be plastered, except where the first floor above the cellar is constructed of iron beams and fire-proof filling.

SEC. 23. No building, not used as a tenement house at the time at which this act takes effect, shall be converted to such use unless it complies with the provisions of this act.

SEC. 24. No tenement house shall be altered, added to, or changed so as to diminish the light, ventilation, or court or yard spaces existing before such alterations were made, in any way not approved by the department or officer charged with the execution of this act.

SEC. 25. Before the construction or alteration of a tenement house or the alteration or conversion of a building for use as a tenement house is commenced, the owner, or his agent or architect, shall submit to the building inspector or other local officer authorized to issue building permits, a detailed statement in writing, verified by the affidavit of the person making the same, of the specifications for the construction, and for the lighting and ventilation of such tenement house or building, upon a blank or form to be furnished by such officer, and shall also submit a copy of the plans of such work. Such statement shall give in full the name and residence, by street and number, of the owner or owners of such tenement house or building. If such construction, alteration, or conversion is proposed to be made by any other person than the owner of the land in fee, such statement shall contain the full name and residence, by street and number, not only of the owner of the land, but of every person thus interested in such tenement house. The statements and affidavits herein provided for may be made by the owner, or the person who proposes to make the construction, alteration, or conversion, or by his agent or architect. No person, however, shall be recognized as the agent of the owner unless he shall file with the said officer a written instrument, signed by such owner, designating him as such agent. Such specifications and statements shall be filed with the said officer and shall be deemed public records, but no such specifications or statements shall be removed from the custody of said officer. The said officer shall cause all such plans and specifications to be examined, and if such plans and specifications conform to the provisions of this act and to the building ordinances and regulations, they shall be approved by such officer, and a written certificate to that effect shall be issued to the per-

son submitting the same. The officer may, from time to time, approve changes in any plans and specifications previously approved by him; *provided*, that the plans and specifications when so changed shall be in conformity with law. The construction, alteration, or conversion of such tenement house, building, or structure, or any part thereof, shall not be commenced until the filing of such specification, plans, and statements, and the approval thereof, as above provided.

SEC. 26. No building hereafter constructed as, or altered into, a tenement house shall be occupied, in whole or in part, for human habitation until the issuance of a certificate by the officer aforesaid that said building conforms in all respects to the requirements of this act. Such certificate shall be issued within ten days after written application therefor, if said building, at the date of such application, shall be entitled thereto.

SEC. 27. If any building hereafter constructed as, or altered into, a tenement house be occupied in whole or in part for human habitation in violation of the last section, during such unlawful occupation no rent shall be recoverable by the owner or lessee of such premises for said period, and no action or special proceedings shall be maintained therefor.

SEC. 28. Nothing in this act shall be construed to abrogate or impair the powers of a local department of health, the fire department, or of the courts or any other lawful authority, to enforce any provisions of any city charter or building ordinances and regulations not inconsistent with this act, or to prevent or punish violations thereof.

SEC. 29. It shall be the duty of every inspector of buildings, fire marshal, or other person authorized to issue building permits, by whatever name known, to enforce the provisions of this act, and to report all violations thereof to the proper prosecuting officer.

SEC. 30. Every owner or lessee of land, and every builder or architect who shall authorize, make, or approve any construction or alteration of any building in violation of this act, shall be fined not less than twenty-five dollars nor more than five hundred dollars, and if any violation of this act remains uncorrected, the violator shall be subject to a renewal of the foregoing penalty every thirty days until the violation is corrected.

SEC. 31. It shall be the duty of the commissioner of labor statistics to collect, keep on file in his office, and at his discretion publish data to be furnished by the officers charged in the several cities with the execution of this act, showing the number of tenement houses for which permits have been asked, the number of plans approved, disapproved, and modified, and any other facts concerning the operation of the law. The records and files of said officers shall at all times be open to the commissioner of labor statistics for the purposes of this section.

SEC. 32. This act shall take effect from its passage.

Approved, June 29, 1905.

ORDINANCES.

AN ACT CONCERNING THE REVISED ORDINANCES.

The revised ordinances of the city of New Haven, as enacted by its board of aldermen April 14, 1905, and approved by its mayor April 22, 1905, shall be of full force and effect upon the passage of this act and after publication of the notice hereinafter provided for, notwithstanding that the same shall not have been published in full in the daily papers in said city as required by section one hundred and twenty-nine of the charter of said city. The city clerk is hereby authorized and directed, instead of the publication required by said section one hundred and twenty-nine, to advertise at least three times in all of the daily papers published in the said city a copy of this resolution so far as it relates to said ordinances, together with a notice that copies of said ordinances as so revised and adopted may be had on application at the office of the city clerk; and he shall cause said ordinances to be printed and distributed to such persons as may apply therefor.

Approved July 19, 1905.

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CHAPTER I.

ACCOUNTS AND CLAIMS.

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| 1. Bills against the city to contain items and dates. | 9. Duty of city clerk in drawing orders in favor of claimants. |
| 2. Judgments to be certified by corporation counsel. | 10. Petitioners to write name and address to petitions. |
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| 4. Controller's books, how kept. | 12. Duty of city engineer and chief of police when notice of claim for damages is received. |
| 5. Aggregate of bills in excess of unexpended balance of appropriation to be reported to board of finance. | 13. Claims for damages not to be paid unless corporation counsel says city is liable. |
| 6. Claims, conditions of approval by board of finance. | 14. Duty of corporation counsel. |
| 7. Payment of claims withheld where claimant is indebted to the city. | |
| 8. Duty of board of finance in case of insufficiency of money in treasury to pay all bills. | |

Be it ordained by the Board of Aldermen of the City of New Haven:

SECTION 1. All bills against the city shall, where the nature of the case admits of it, contain the items and their respective dates, and shall not otherwise be approved by the board of finance.

SEC. 2. Any claim against the city by reason of the final judgment of a judge or court shall be certified by the corporation counsel to be correct, before being transmitted to the controller.

SEC. 3. When any assessment of damages against the city, for any public improvement, is due and payable to any person or persons, a bill for the amount of damages assessed to each, in excess of the benefits assessed to the same person for the same public improvement, shall be presented to the city clerk, and having been, by the city clerk, compared with the order of assessment and certified to be correct, shall be passed and paid in the same manner as other bills.

SEC. 4. The controller shall keep in books provided for that purpose, accounts with the following subjects, namely: controller, bills payable, bills receivable, city attorney, city court, collector, corporation counsel, civil service board, department of charities and correction, department of public works, department of police, department of fire, department of public parks, department of lamps, department of education, department of public library, fuel, department of health, interest, licenses and permits, liens, printing, registrar of vital statistics, salaries, sewers, special appropriations, stationery, streets, sundry accounts, tax lists 1874-80, tax list of each year, town clerk, treasurer, and with such other subjects as he may from time to time be required to do by the board of finance.

SEC. 5. If the aggregate of bills coming to the hands of the controller duly approved during any month shall exceed the unexpended balance of the appropriation to which they belong, the controller shall report the facts to the board of finance at its next regular session.

SEC. 6. The board of finance may adjust all claims duly presented to them, and allow such sum or sums as they shall find justly due.

They shall not approve of any bill against the city for personal damages or any other cause, unless the same shall have arisen from contract, express or implied, until ordered so to do by the board of aldermen.

No bill shall be approved by said board except in a meeting of the board, all the members having been duly notified and a majority being present.

SEC. 7. In case any person, to whom a claim is due and payable shall be indebted to the city, the city clerk, by the direction of the board of finance, shall withhold the order for payment of such claim until such indebtedness is satisfied.

SEC. 8. In case the board of finance shall find that there is not sufficient money in the hands of the treasurer to pay all the bills duly allowed, they shall instruct the controller in what order the same shall be paid by order on the treasurer, giving preference to the regular officers and employes of the city, and said controller shall obey their instructions.

SEC. 9. The city clerk shall draw orders on the treasurer in favor of the claimants for the amount allowed on each bill by the

board of finance, and such orders shall be numbered, corresponding to the classification book.

SEC. 10. In all petitions hereafter brought to the board of aldermen, the petitioner shall write his full name and address, with street and number, upon the petition.

SEC. 11. Whenever any claim for damage to person or property shall be presented against said city, by bill, petition to the board of aldermen, or otherwise, except in cases of assessments provided for in the charter or ordinances of said city, the board of aldermen shall appoint a proper committee to inquire into and report the facts, or refer the same to the committee on claims, provided that no such claim shall be so referred, or considered unless it shall appear by the certificate of the city clerk, indorsed upon the paper or petition, whereby the same is presented to the board of aldermen, that due notice of said claim was reasonably given to him, as required by the statute laws of this state in such cases.

Upon receipt of any such notice, the city clerk shall forthwith transmit the same to the corporation counsel, who shall at once proceed to examine into such claim, and investigate all the circumstances—and any legal questions arising thereon; keeping a written record or memorandum of the facts and results thus ascertained; and when said claim is considered by the committee to which it may be referred, the corporation counsel shall be present, with said record, or memorandum.

Such committee shall notify any person or corporation, who may be liable to appear and be heard in reference to such claim, and to relieve said city from any liability therefor.

SEC. 12. Upon a receipt of a notice of claim for damages arising from any alleged defect in any street, sidewalk, or bridge, the city clerk shall immediately furnish the city engineer, chief of police and corporation counsel with a copy thereof. The city engineer shall immediately, after the receipt of said copy, make a map of the place where such alleged defect existed, unless, in the opinion of the corporation counsel, such map is unnecessary. The chief of police shall immediately, after the receipt of such copy, direct some officer of the police department to investigate such claim, ascertain the facts, and make a written report to the corporation counsel of the said facts and the evidence relating thereto, giving the name and residence of witnesses. Said reports

shall be made within ten days after such officer has been directed to make such investigation, and it shall be his duty to make such further investigation and report as the corporation counsel shall direct.

SEC. 13. No claim for damages shall be allowed and paid by said city, unless the corporation counsel is clearly of the opinion that the city is legally liable to pay the amount so allowed, and in no case shall such claim be paid, unless upon proper security to save the city from loss.

No such payment other than by proper judgment of court shall be deemed a precedent binding on the city, in subsequent cases.

SEC. 14. It shall be the duty of the corporation counsel to bring any necessary suit to foreclose any lien, or to enforce any other claim in behalf of said city, except for such forfeitures as it is the duty of the city attorney to collect.

All sums collected by the corporation counsel or the city attorney shall be paid over to the treasurer, his receipts being given therefor, and said counsel or attorney shall forthwith give notice of such payments to the controller, who shall enter the same in the city accounts.

CHAPTER II.

AMUSEMENTS.

- | SEC. | SEC. |
|--|--|
| 15. Billiard tables or bowling alleys, chief of police may license, fines in connection with same. | 17. Indecent or blasphemous performances, penalty for presenting same. |
| 16. Theatrical performances, chief of police may license, fines in connection with same. | 18-19. Bill posting, regulations governing same. |

SEC. 15. The chief of police, with the advice and consent of the mayor, may issue licenses, as provided in the ordinance concerning licenses and permits, to such persons as he may approve, to keep, for hire, in premises to be designated in such licenses, one or more billiard tables, or bowling alleys.

Every person who shall keep or use, or suffer to be kept or used, for hire, in any premises occupied by him, or under his control, in said city, any billiard table or bowling alley, without a proper license in force therefor, shall forfeit and pay a penalty of five dollars for every such offense, and a like penalty for every day in which said table or alley is so used.

SEC. 16. The chief of police, with the advice and consent of the mayor and chief of the fire department, may issue a license as provided in the ordinance concerning licenses and permits, for any public concert, dance, play, farce, show, tragedy, comedy, pantomime, or other theatrical or dramatic performance, exhibition of gymnastics, dexterity, or skill, circus or exhibition of animals or curiosities, for gain, specifying in such license the time and particular place of exhibition, provided that no part of said exhibition, show or performance shall be contrary to the statutes of this state, or the ordinances of said city.

Every person who shall take any part, as actor, manager or agent in any such show, exhibition, dance, or performance, and every owner or other person having charge of any building, room or premises in said city, who shall suffer or permit therein such show, exhibition, dance, or performance, without a license being

first obtained therefor, as aforesaid, shall forfeit and pay a penalty of not less than twenty, nor more than one hundred dollars for every such offense.

SEC. 17. Every person who shall, within said city, act, exhibit show or perform in, or cause to be acted, exhibited, shown or performed, or be in any manner concerned in the acting, exhibition, showing or performance of, any indecent or blasphemous play, farce, opera, public exhibition, show, entertainment, or performance whatsoever, or of any indecent or blasphemous part of any play, farce, opera, public entertainment, dance or performance whatsoever, shall forfeit and pay a penalty of twenty dollars for every such offense.

SEC. 18. No play bill, or advertisement of any exhibitions, shall be posted upon any public building or fence in said city, nor on or about any tree in the streets of said city, nor upon any private property without the consent of the owner of such property.

Every person offending against any provision of this section shall forfeit and pay a penalty of five dollars for every such offense.

SEC. 19. No person shall destroy, remove, tear, or otherwise deface any bill, posted in such places as may be permitted, descriptive of any performance to be exhibited, duly licensed as aforesaid.

Every person violating any provision of this section shall forfeit and pay a penalty of two dollars for every such offense.

CHAPTER III.

ANIMALS.

SEC.	SEC.
20. Animals that may not run at large.	27. Keeping or harboring vicious dogs.
21-22-23. Poundkeepers, how appointed; duties, etc.	28. Unmuzzled dogs, how treated
24. Animals lawfully impounded not to be rescued.	29. Dogs properly muzzled and registered not to be interfered with.
25. Feeding animals in streets.	30. Penalty.
26. Dogs to be muzzled between June and September.	

SEC. 20. No owner or person having the charge of cattle, horses, mules, asses, sheep, goats, fowls or swine, shall suffer or permit the same to go or be at large in any of the streets or public squares of said city; or shall suffer or permit the same to be upon any of the streets or public squares of said city, for the purpose of being pastured thereon, either with or without a keeper.

SEC. 21. It shall be and is hereby made the duty of all poundkeepers, appointed by the board of aldermen, unless within one week after notice of their appointment they shall lodge with the city clerk a written declination to hold said office, to have, keep and maintain, ready for use at all times, a suitable and lawful pound for the impounding of all animals that shall be brought to them for that purpose.

SEC. 22. The poundkeepers and impounders appointed by the board of aldermen shall have the same powers and duties, and shall receive the same fees, which are now or may hereafter be provided by the general statutes of this state for poundkeepers and haywards, appointed by the several towns.

SEC. 23. It shall be the duty of such persons as the board of aldermen shall appoint for that purpose, and it shall be lawful for any person, to impound any animal found upon any of the streets or public squares of said city, in violation of any of the provisions of the first section of this ordinance.

SEC. 24. No person shall rescue any animal, liable to be impounded, out of the custody of any person going to pound with the same, or shall attempt to prevent him from driving or taking such animal to pound, or shall resist or hinder him therein, or shall break the pound, or in any manner convey out of it any animal lawfully impounded.

SEC. 25. No person shall feed any draught animal in the streets of said city unless said animal is securely hitched or fastened.

SEC. 26. No owner, or keeper, or person having the charge of any dog, shall permit or suffer the same to go or be at large in the streets or public squares, or in any uninclosed place in said city, between the first day of June and the first day of September in each year, unless such dog shall be securely muzzled, so as to render the biting of any person impossible.

SEC. 27. No person shall knowingly keep or harbor any dog which habitually attacks, threatens to attack, or frightens, persons or animals upon the highway, or which habitually, by loud and excessive barking or howling, causes annoyance to any person or persons living in the vicinity.

SEC. 28. It shall be lawful for any person to take into his custody, and carry to the police office or dog pound, and it shall be the duty of every police officer of said city to destroy any dog found loose or at large in violation of any of the provisions of the law.

SEC. 29. No person, other than the owner or keeper, shall unloose or set at large, or take or entice away, or shall remove the collar or muzzle from any dog duly registered and numbered according to law.

SEC. 30. Any person violating any of the provisions of this chapter shall be fined not more than one hundred dollars for every such offense.

CHAPTER IV.

ASSESSMENTS AND IMPROVEMENTS.

SEC.	SEC.
31. Assessment, proportions, how altered.	35. Liens, when and how placed.
32. City engineer to furnish maps and charts, etc.	36. Liens, liabilities incurred by same; how they may be remitted.
33. Assessments appealed from, duty of city clerk and corporation counsel in connection with same.	37. Liens, duty of collector to foreclose.
34. Assessments due and payable, duty of city clerk and controller in connection with same.	38. Department of public works to prepare certificates, when.

SEC. 31. The board of aldermen may, upon the execution of any order for the paving or otherwise improving any street or highway within said city, or for the construction or alteration of any public sewer, or other public work, assess upon the persons whose property is, in the judgment of said board, especially benefited thereby, a proportional and reasonable part of the expense thereof, and shall estimate the particular amount of such expense to be paid by every such person upon such assessment.

SEC. 32. The city engineer shall in all cases of proposed public improvement, lay before the board or committee having the matter in charge, the original survey and map of the work in question, or a certified copy thereof, and a chart showing the frontage, dimensions and area of the several pieces of land specially damaged or benefited by such work, and the names of the respective owners.

SEC. 33. When any assessment or apportionment of damages or benefits has been appealed from, the city clerk shall forthwith notify the collector, controller and corporation counsel.

It shall be the duty of the corporation counsel to secure a speedy determination of the same, and forthwith to notify the city

clerk of any withdrawal of appeal or of the final judgment of the superior court in the case.

SEC. 34. When any assessment or apportionment of damages or benefits is due and payable, the city clerk shall forthwith transmit an account of the same to the controller, noting thereon the day when the same became payable.

The controller shall enter the same in his books, charging the collector with the amount of benefits assessed or apportioned, as aforesaid, and transmit to the collector an account of the benefits assessed, or damages apportioned, with a memorandum, showing when the same became payable, and the collector shall proceed to collect such assessments or apportionments.

SEC. 35. If any assessment of benefits or apportionment is not paid within fifty-five days after it becomes payable, the collector shall cause a certificate of lien to be recorded, in accordance with law. A lien book, in proper form, shall be kept at all times in the office of the collector, in which a memorandum of all liens, under the charter and ordinances of said city, and of the payment of such liens shall be entered.

SEC. 36. When a lien shall have been placed upon property in accordance with the charter, the board of aldermen may, upon the payment of the principal sum, remit interest and fees in behalf of any person who, in their opinion, is unable to pay the same.

SEC. 37. It shall be the duty of the collector to report to the corporation counsel for foreclosure any lien in behalf of the city, when the same has been on one year, unless otherwise directed, from time to time, by vote of the board of aldermen.

SEC. 38. Except where it is otherwise directed, it shall be the duty of the department of public works to prepare certificates of liens in all cases where by law a lien upon land or other property is given to the city, which certificate shall be signed by the collector, whose duty it shall be to see that the same is duly recorded.

CHAPTER V.

BOARD OF ALDERMEN.

SEC.	SEC.
39. Board of aldermen, regular meetings, when held.	43. Notice of or order to persons or corporations, how made.
40. Journals.	44. Maps and files to be laid before committees.
41. Regular and special meetings, how called.	45. Files and records to be carefully preserved.
42. Head of departments to answer inquiries.	46. Penalty for abstracting or mutilating the same.

SEC. 39. Regular meetings of the board of aldermen shall be held on the first Monday of every month; but the mayor may call such meetings for any different day of the month, whenever, on account of a public holiday, or for other reason, he shall deem it expedient.

SEC. 40. The clerk of the board of aldermen of said city shall keep a journal of the doings and proceedings thereof, and after each meeting shall cause the same to be printed in sufficient numbers and distributed in sufficient numbers to each member of said board of aldermen, and to such other officers of said city, and any other person requiring the same, as they shall judge best, and within four weeks after the last meeting of said board of aldermen for the year, they shall cause two hundred copies of such journal, properly bound and indexed, to be printed and distributed, one to each member of the board of aldermen for the year during which said journal was kept, and one to each officer of said City of New Haven, and shall deposit the remainder in the office of the city clerk of said city, one of which said clerk shall certify under his hand to be a true record of the doings and proceedings of said board of aldermen, and which shall be the official journal thereof.

SEC. 41. The mayor of said city, whenever there is to be a regular meeting of said board, or whenever he may deem it proper to call a special meeting of said board, may issue his order, directed to the sheriff of said city, or in case of his absence or inability, to any other proper officer, requiring him to warn the members of said board of such meeting: and personal notice being by such officer given to each member of said board, or an attested

copy of such order being left at the usual place of residence of each member, at least six hours previous to the time prescribed in the order for such meeting, or published in two daily newspapers in said city, at least twelve hours before the time of such meeting, shall be sufficient warning thereof. Said order shall be recorded by the city clerk.

SEC. 42. It shall be the duty of any department of the city government, or of the heads of such departments, of whom an inquiry shall be made by the board of aldermen, to answer the same in writing at the next regular meeting of the board making such inquiry.

SEC. 43. Whenever any order is made by said board of aldermen, upon any person or corporation, notice shall be given to such person or corporation.

Whenever two or more persons shall be interested as joint tenants, tenants in common, or as parties having different interests in the same premises, in reference to which such order is made, then such notice to one of such persons shall be deemed notice to all.

A notice stating the substance of any such order, and signed by the city clerk, and directed to the person or corporation to whom the notice is to be given, and deposited, postage paid, in the post office in said city, within three days after the passage of any such order, or delivered to such person, or left at his usual place of abode by any officer of said city, or such order being published twice in each of two daily newspapers in said city a reasonable time before such order is to be executed, shall be deemed sufficient notice of such order.

SEC. 44. Whenever any matter is submitted to any committee of the board of aldermen, or any board of the city, all the proper files and maps in the case shall be laid before such committee or board by the proper officer having charge of such files and maps.

SEC. 45. All files and records belonging to, or coming into the hands of any officer or committee of said city, shall be carefully preserved and handed over to his or their successors in office, or other person proper to receive the same.

SEC. 46. Every person who shall fraudently abstract, conceal, destroy, mutilate, or alter any record, map, or file, belonging to said city, or in charge or custody of any committee, board, or officer of said city, shall forfeit and pay a penalty of not less than five, nor more than one hundred dollars for every such offense.

CHAPTER VI.

BUILDINGS.

SEC.	SEC.
47. Scope of ordinances.	77. Walls increased by length of span.
48. Inspector of buildings.	78. Walls of churches, theatres, etc.
49. Fire marshal may be inspector.	79. Walls of one story structures.
50. Permits.	80. Curtain walls.
51. Drawings and specifications.	81. Bonding brick walls.
52. Alterations of drawings.	82. Thickness of ashlar.
53. Refusal of permit.	83. Use of existing party walls.
54. Fees for permit.	84. Walls to be built uniformly and bonded.
55. Character of brick, sand and mortar.	85. Walls to be braced during construction.
56. Fire district.	86. Height of stories.
57. Excavations for building.	87. Walls of light or vent shafts.
58. Excavations exceeding ten feet.	88. Partition walls.
59. Excavations less than ten feet.	89. Recesses and chases in walls.
60. Excavations under party walls.	90. Opening for doors and windows.
61. Inspector to protect existing walls.	91. Protection from fires.
62. Excavation for area.	92. Cellar floor and ceilings.
63. Foundation walls.	93. Backing for wainscoting.
64. Thickness of walls.	94. Fire stops.
65. Construction of walls.	95. Buildings for residences over stores.
66. Construction of piers.	96. Authorities.
67. Use of piers in any part of structure.	97. Factors of safety.
68. Headers.	98. Strength of columns.
69. Depth of walls.	99. Strength of beams.
70. Walls on piles.	100. Strength of floors and roofs.
71. Connections with sewers.	101. Weight that floor will sustain.
72. Vaults under sidewalks.	102. Weight of building material.
73. Thickness of walls for houses.	103. Safe bearing loads for earth and concrete.
74. Non-bearing walls.	104. Buildings to be fire proof.
75. Partition walls.	105. Fireproof construction and fireproofing.
76. Thickness of walls for business buildings.	

SEC.		SEC.	
106.	Iron and steel construction— Fiber stress for steel and iron.	135.	Heating apparatus.
107.	Maximum stresses in riveted plate girders.	136.	Stairways.
108.	Skeleton construction.	137.	Partition walls.
109.	Steel and wrought-iron col- umns.	138.	Walls to separate stage and auditorium.
110.	Cast-iron columns.	139.	Protection from fire.
111.	Double columns.	140.	Fireproof curtain.
112.	Party wall posts.	141.	Woodwork covered with fire- proof materials.
113.	Plates between joints of open back columns.	142.	Workshop or storage above or under auditorium.
114.	Steel and iron girders.	143.	Construction of galleries.
115.	Rolled steel and wrought-iron beams used as girders.	144.	Ventilators.
116.	Cast-iron lintels.	145.	Number of exits required.
117.	Plates under ends of lintels and girders.	146.	Exit signs and red lights.
118.	Rolled steel and wrought-iron floor and roof beams.	147.	Theatre lighting.
119.	Templates under ends of steel or iron floor beams.	148.	Exit lighting.
120.	Framing and connecting structural work.	149.	Stand pipes.
121.	Riveting of structural steel and wrought-iron work.	150.	Hose.
122.	Bolting of structural steel and wrought-iron work.	151.	Public buildings to have am- ple stairways.
123.	Steel and wrought-iron truss- es.	152.	Assembly halls.
124.	Riveted steel and wrought- iron trusses.	153.	Chimneys.
125.	Steel and iron pin-connected trusses.	154.	Inside of flues to be smooth.
126.	Iron and other metal fronts to be filled in.	155.	Construction under chimney.
127.	Painting of structural metal work.	156.	Fireplaces.
128.	Theatres.	157.	Stoves.
129.	Refusal of permits.	158.	Stove pipes to be guarded.
130.	Open court both sides.	159.	Furnaces.
131.	Capacity of corridors.	160.	Register boxes.
132.	Seats to be fastened to floor.	161.	Steam pipes.
133.	Floors.	162.	Hot air pipes.
134.	Aisles.	163.	Gas and water pipes.
		164.	Electric wires.
		165.	Fireproof shutters.
		166.	Walls of elevator shaft.
		167.	Inspector of passenger ele- vators.
		168.	Elevator attendant.
		169.	Safety devices for elevator cars.
		170.	Freight elevators.
		171.	Bulkheads.
		172.	Cornices.
		173.	Snow guard.
		174.	Roof of wooden building.

SEC.		SEC.	
175.	Roof of buildings not wooden.	192.	Dangerous buildings.
176.	Mansard roof.	193.	Buildings endangering life.
177.	Changing roof.	194.	Duty of inspector if building is dangerous.
178.	Measurements from curb level.	195.	Obstruction of street and sidewalk.
179.	Buildings within fire district.	196.	Street and sidewalk to be used only during construction.
180.	Right to rebuild damaged buildings.	197.	Privilege of using sidewalk beyond building.
181.	Various structures within the fire limits.	198.	To relay sidewalk.
182.	Use of wooden beams.	199.	Violation of ordinance regarding sidewalks.
183.	Wooden building outside fire district.	200.	Permit to last for six months.
184.	General restriction for wooden buildings.	201.	Revocation of permit.
185.	Fire-escapes.	202.	Permit to move buildings.
186.	Obstructing fire-escapes.	203.	Service of notice.
187.	Rope for fire-escape.	204.	Penalties.
188.	Chief to inspect buildings.	205.	Building lines.
189.	Rear tenements forbidden.	206-207.	Numbering buildings.
190.	Abatement of rear tenements.	208.	Miscellaneous provisions.
191.	Light and ventilation.		

SCOPE OF ORDINANCE.

SEC. 47. The following provisions shall constitute and be known as the building ordinance, and may be cited as such. It applies to all matters relating to the construction, alteration or removal of buildings, or structures erected or to be erected, in the city of New Haven, which ordinance is intended to be remedial and is to be construed liberally to secure the beneficial interests and purposes intended. It shall apply to all parts of the city, unless specially limited to the part included within the fire district.

INSPECTOR OF BUILDINGS.

SEC. 48. The mayor shall appoint an inspector of buildings, who shall hold his office until his successor is duly appointed and qualified. Said Inspector shall be either an architect, civil engineer, or builder of ability, and must have had at least five years' practical experience in his particular occupation. Said inspector shall not be employed or engaged in any other business, or be interested in any way whatsoever in any contract for building or furnishing materials. He shall receive such salary or compensa-

tion for his services as the board of aldermen may determine. Said inspector is charged with the duty of enforcing the provisions of this ordinance, and shall report all violations of said ordinance to the city attorney for prosecution. He shall examine all buildings in course of erection, alterations or repair, and any platform, staging or flooring to be used for standing or sitting purposes, as often as practicable, and shall make a record of all violations of said ordinance, together with the street and number where such violations are found, the name of the owner, lessee, occupants, contractors and master mechanics, and all other matters relative thereto.

FIRE MARSHAL MAY BE INSPECTOR.

SEC. 49. Until an inspector of buildings shall be appointed, as hereinbefore provided, the fire marshal shall act as such inspector of buildings.

PERMITS.

SEC. 50. Before proceeding with the erection or alteration of any building, or part of any building, or any platform, staging or flooring to be used for standing or sitting purposes, a permit shall be first obtained from the inspector of buildings by the owner or his agent, and it shall be unlawful to proceed with the erection or alteration of any building, or part of any building, or any such platform, staging or flooring, unless such permit shall first have been obtained from the inspector of buildings.

The applications for such permits shall be in writing, on blanks or forms, to be furnished by the inspector of buildings, and shall state clearly and fully the work contemplated to be done, and shall give the correct or estimated value of the building for which such application is made, to be verified by the affidavit of the applicant when required by said inspector.

DRAWINGS AND SPECIFICATIONS.

SEC. 51. Where an application is made for the erection or alteration of any building, or any part thereof, except frame buildings costing less than \$3,500, drawings and specifications sufficient to enable the inspector to obtain full and complete information as to the extent and character of the work to be done, shall be

submitted with such application, and all such drawings and specifications shall be filed with the Inspector, and shall remain on file in his office three months after the completion or occupation of said building. Such drawings and specifications shall then be returned by the inspector to the parties by whom they have been deposited, upon the demand of said person or persons. It shall not be obligatory upon the inspector to retain such drawings or specifications in his custody for more than three months after the completion or occupation of said building.

ALTERATION OF DRAWINGS.

SEC. 52. It shall be unlawful to erase, alter or modify any lines, figures or coloring contained upon such drawings and specifications so stamped by the inspector or filed with him for reference, except as hereinafter provided. If during the progress of the execution of such work it is desired to deviate in any essential manner from the terms of the application, drawings or specifications, notice of such intention to alter shall be given in writing to the inspector, and his written assent must first be obtained before such alteration may be made. Alterations in drawings and specifications which do not involve any change in the structural parts nor conflict with any of the requirements of this ordinance, may be made without the permission of the inspector.

REFUSAL OF PERMIT.

SEC. 53. If the matters mentioned in any application for a permit or in the drawings or specifications accompanying and illustrating the same, indicate to the inspector that the work to be done is not in all respects in accordance with the provisions of this ordinance, he shall refuse to issue a permit until such application, drawings and specifications shall have been made to conform in every respect to the requirements of the ordinance; and when such application and drawings and specifications conform to this ordinance the inspector shall issue a permit and shall file said application, and shall apply to such drawings and specifications an official stamp. The drawings and specifications so stamped shall then be returned to the applicant for permit, excepting in cases where said drawings and specifications are required to be filed with the inspector.

FEEs FOR PERMIT.

SEC. 54. The fee for permit for each building costing \$5,000 or less shall be \$2.00; for permit for each building costing from \$5,000 to \$10,000, \$5.00; for permit for each building costing \$10,000 or over, \$10.00.

Permits for the obstruction of streets shall be paid for in proportion to the street frontage occupied, at the rate of \$1.00 for the first month, \$2.00 for the second month, and \$3.00 for the third month, and so on, increasing at the rate of \$1.00 per month for each successive month for each fifty feet of frontage or fraction thereof so occupied.

CHARACTER OF BRICK, SAND AND MORTAR.

SEC. 55. All brick laid in non-freezing weather shall be well wet immediately before being laid. The brick used in all buildings shall be good, hard, well-burnt brick. The sand used for mortar in all buildings shall be clean, sharp sand, and shall not be finer than the standard samples kept in the office of the inspector of buildings. Cement mortar shall be made of sand and cement in the proportion of not more than three parts of sand to one of cement, and shall be used immediately after being mixed. Lime mortar shall be made of not more than four parts of sand to one part of lime, and shall not be used until thoroughly slaked. Cement and lime mortar shall be made of one part of lime, one part of cement and three parts of sand to each. Concrete for foundations shall be made of one part of cement, two parts of sand and five parts of small, clean, broken stone, or one-half of the five parts may be clean gravel and the other half small, clean, broken stone, all carefully mixed.

FIRE DISTRICT.

SEC. 56. The portion of the city included within the following boundaries shall be known as the fire district, namely:

Beginning at the intersection of West Water street with the New York, New Haven and Hartford Railroad, and thence following the tracks of said railroad to Cedar street, through the center of Cedar street to the center of Minor street, through the center of Minor street to the center of Howard avenue; through the center of Howard avenue to a point 200 feet south of Congress Ave-

nue; thence in a westerly direction parallel with Congress avenue to the center of Daggett street; through the center of Daggett street to the center of Congress avenue; through the center of Congress avenue to the center of Ward street; through the center of Ward street to a point 200 feet north of the center line of Congress avenue; thence in an easterly direction and parallel with the center line of Congress avenue to the center of Howard avenue; through the center of Howard avenue to the center of Howe street; through the center of Howe street and Dixwell avenue to Bristol street; thence in an easterly direction in a straight line, through the center of Bristol street to the center of Ashmun street; through the center of Ashmun street to the center of Lock street; through the center of Lock street to a point midway between the rails of the New Haven and Northampton Railroad, to the center of Sachem street; through the center of Sachem street to the center of Whitney avenue; through the center of Whitney avenue to a point 185 feet south of Humphrey street, thence in an easterly direction in a line parallel with Humphrey street, to the center of State street; through the center of State street to a point 110 feet west of the west line of Mill River street measuring at a right angle with said west line; thence in a southerly direction and parallel with the westerly line of Mill River street to the center of Walnut street; through the center of Walnut street to the tracks of the New York, New Haven and Hartford Railroad Company, and following the tracks to James street; through the center of James street to Market street; through the center of Market street to Haven street; through the center of Haven street to Exchange street; through the center of Exchange street to James street; through the center of James street to Wolcott street; through the center of Wolcott street to Mill street; through the center line of Mill street to Chapel street; through the center of Chapel street to the channel of Mill River, to the center of Tomlinson bridge, to the end of Long Wharf, thence by a straight line to the point of beginning.

EXCAVATIONS FOR BUILDING.

SEC. 57. All excavations shall be properly guarded and protected by the person or persons causing the excavation to be made, so as to prevent the same from becoming dangerous to life or limb, and shall be sheet-piled where necessary to prevent the adjoining earth from caving in.

EXCAVATIONS EXCEEDING TEN FEET.

SEC. 58. Whenever an excavation of either earth or rock for building or other purposes shall be intended to be, or shall be, carried to a depth of more than ten feet below the street curb, the person or persons causing such excavation to be made shall at all times, from the commencement until the completion thereof, if afforded the necessary license to enter on the adjoining land, and not otherwise, at his or their own expense, preserve any adjoining or contiguous wall or walls from injury, and support the same by proper foundations, so that the said wall or walls shall be and remain practically as safe as before such excavation was commenced, whether the said adjoining or contiguous wall or walls are down more or less than ten feet below the street curb.

EXCAVATIONS LESS THAN TEN FEET.

SEC. 59. If such excavation shall not be intended to be, or shall not be, carried to a depth of more than ten feet below the street curb, the owner or owners of such adjoining or contiguous wall or walls shall preserve the same from injury, and so support the same by proper foundations that it or they shall be and remain practically as safe as before such excavation was commenced, and shall be permitted to enter upon the premises where such excavation is being made for that purpose, when necessary.

EXCAVATIONS UNDER PARTY WALLS.

SEC. 60. In case an adjoining party wall is intended to be used by the person or persons causing the excavation to be made, and such party wall is in good condition and sufficient for the uses of the adjoining building, then, and in such case, the person or persons causing the excavations to be made shall, at his or their own expense, preserve such party wall from injury and support the same by proper foundations, so that said party wall shall be and remain practically as safe as before the excavation was commenced.

INSPECTOR TO PROTECT EXISTING WALLS.

SEC. 61. If the person or persons whose duty it shall be to preserve or protect any wall or walls from injury shall neglect or fail so to do, after having had a notice of twenty-four hours from the inspector of buildings, then the inspector of buildings may

enter upon the premises and employ such labor and furnish such materials, and take such steps as, in his judgment, may be necessary to make the same safe and secure, or to prevent the same from becoming unsafe or dangerous, at the expense of the person or persons whose duty it is to keep the same safe and secure. Any party doing the said work, or any part thereof, under and by the direction of the said inspector, may bring and maintain an action against the person or persons owning the land whose duty it is to protect the wall, to recover the value of the work done and materials furnished, in and about said premises, in the same manner as if he had been employed to do the said work by the said person or persons.

EXCAVATION FOR AREA.

SEC. 62. When an excavation is made on any lot, and it is intended to use part of such excavation, on either side or rear of the lot, as an area, or space for light and air, the person or persons causing such excavation to be made shall build at his or their own expense, a retaining wall of sufficient strength to support the adjoining earth; and each retaining wall shall be carried to the height of the adjoining earth, and be properly protected or capped on top.

FOUNDATION WALLS.

SEC. 63. Foundation walls shall be construed to include all walls and piers built below the curb level or nearest tier of beams to the curb, to serve as supports for walls, piers, columns, girders, posts or beams. Foundation walls shall be built of stone or brick.

THICKNESS OF WALLS.

SEC. 64. Foundation walls built of stone shall be at least eight inches thicker than the wall next above them to a depth of twelve feet below the curb level; and for every additional ten feet, or part thereof, deeper, they shall be increased four inches in thickness. If built of brick, they shall be at least four inches thicker than the wall next above them to a depth of twelve feet below the curb level; and for every additional ten feet, or part thereof, deeper, they shall be increased four inches thicker.

CONSTRUCTION OF WALLS.

SEC. 65. The footing or base course of foundation walls shall be of stone or concrete, or both, or of concrete and stepped-up brick work, of sufficient thickness and area to safely bear the weight to be imposed thereon; if the footing or base course be of concrete, the concrete shall not be less than twelve inches thick; if of stone, the stones shall not be less than two by three feet, and at least eight inches in thickness for walls, and at least twelve inches wider than the bottom width of said walls, and not less than ten inches in thickness if under piers, columns or posts, and at least twelve inches wider on all sides than the bottom width of said piers, columns or posts. All base stones shall be well bedded and laid crosswise, edge to edge. If stepped-up footings of brick are used in place of stone, above the concrete, the off-sets, if laid in single courses, shall each not exceed one and one-half inches, or if laid in double courses, shall not exceed three inches, starting with the brickwork covering the entire width of the concrete, so as to properly distribute the load to be imposed thereon.

CONSTRUCTION OF PIERS.

SEC. 66. If, in place of a continuous foundation wall, isolated piers are to be built to support the superstructure, where the nature of the ground and the character of the building make it necessary, inverted arches shall be turned between the piers, at least twelve inches thick and of the full width of the piers, and resting upon a continuous bed of concrete of sufficient area, and at least eighteen inches thick; or two footing courses of large stone may be used, the bottom course to be laid crosswise, edge to edge, and the top course laid lengthwise, end to end; or one course of concrete and one course of stone. The stone shall not be less than ten inches thick in each course, and the concrete shall not be less than eighteen inches thick, and the area of the lower course shall be equal to the area of the base course that would be required under a continuous wall, and the outside pier shall be secured to the second piers with suitable iron rods and plates.

USE OF PIERS IN ANY PART OF STRUCTURE.

SEC. 67. All piers shall be built of stone or good, hard, well-burnt brick, laid in cement mortar. Every pier built of brick,

containing less than nine superficial feet at the base, supporting any beam, girder, arch or column on which a wall rests, or lintel spanning an opening over ten feet and supporting a wall, shall at intervals of not over thirty inches apart in height have built into it a bond stone not less than four inches thick, or a cast iron plate of sufficient strength, and the full size of the piers. Isolated brick piers shall not exceed in height eight times their least dimensions. Stone piers or posts for the support of posts or columns above shall not be used in the interior of any building. Where walls or piers are built of coursed stone, with dressed level beds and vertical joints, the inspector of buildings shall have the right to allow such walls or piers to be built of a less thickness than specified for brick work, but in no case shall said walls or piers be less than three quarters of the thickness provided for brick work.

HEADERS.

SEC. 68. All stone walls twenty-four inches or less in thickness shall have at least one header extending through the wall in every three feet in height from the bottom of the wall, and in every four feet in length, and if over twenty-four inches in thickness, shall have one header for every six superficial feet on both sides of the wall, laid on top of each other to bond together, and running into the wall at least two feet. All headers shall be at east eighteen inches in width and eight inches in thickness and consist of good flat stones. No stone shall be laid in such walls in any other position than on its natural bed.

DEPTH OF WALLS.

SEC. 69. Every building except buildings erected upon wharves or piers on a water-front, shall have foundations laid not less than four feet below the surface of the ground, on the solid earth or on level surface of rock, or upon piles of ranging timbers when solid earth or rock is not obtainable for foundations.

WALLS ON PILES.

SEC. 70. Piles intended for a wall, pier or post to rest upon, shall not be less than six inches in diameter at the smallest end, and shall be spaced not more than thirty-six inches on centers, or nearer if required by the inspector of buildings, and shall be

driven to a solid bearing. No pile shall be weighted with a load exceeding forty thousand pounds. The tops of all piles shall be cut off below the lowest water line. When required, concrete shall be rammed down in the interspaces between the heads of the piles to a depth and thickness of not less than twelve inches, and for one foot in width outside of the piles. Where ranging and capping timbers are laid on piles for foundations, they shall be of hard wood, not less than six inches thick, and properly joined together and their tops laid below the water line. When crib footings of iron or steel are used below the water level, the same shall be entirely coated with coal tar, paraffine varnish, or other suitable preparations before being placed in position. When footings of iron and steel for columns are placed below the water level, they shall be similarly coated for preservation against rust.

CONNECTIONS WITH SEWERS.

SEC. 71. Before the walls of buildings are carried up above the foundation walls, the cellars shall be connected with the street sewers. Should there be no sewer in the street, or if the cellars are below water, or below the sewer level, then provision shall be made by the owner to prevent water accumulating in the cellars to the injury of the foundations.

VAULTS UNDER SIDEWALKS.

SEC. 72. In buildings where the space under the sidewalk is utilized, a sufficient stone or brick wall shall be built to retain the roadway of the street, and the side, end or party walls of such building shall extend under the sidewalk of sufficient thickness to such wall. The roofs of all vaults shall be of incombustible material. Openings in the roofs of vaults for the admission of coal or light shall be covered with glass to measure not more than four square inches each, set in iron frames or with iron covers having a rough surface, and rabbetted flush with the sidewalk. When areas are covered over, iron, or iron and glass combined, stone or other incombustible material shall be used, and sufficient strength in such covering shall be provided to insure safety to persons walking on the same, and to carry the loads which may be placed thereon. Open areas shall be properly protected with suitable railings.

THICKNESS OF WALLS FOR HOUSES.

SEC. 73. The walls of all buildings which are to be used for residence purposes, and also school buildings, twenty-six feet or less in width between bearing walls, shall not be less in thickness than the number of inches given in the following table:

Outside, Party and Division Walls.	Base- ment.		1st story.	2nd story.	3rd story.	4th story.	5th story.	6th story.	7th story.	8th story.	9th story.	10th story.
	Stone.	Brick.										
One story.....	16	12	8									
Two stories.....	20	16	12	8								
Three stories.....	20	16	12	12	8							
Four stories.....	24	20	16	12	12	12						
Five stories.....	24	20	16	16	12	12	12					
Six stories.....	24	20	16	16	16	12	12	12				
Seven stories.....	28	24	20	16	16	16	12	12	12			
Eight stories.....	28	24	20	20	16	16	16	12	12	12		
Nine stories.....	28	24	20	20	20	16	16	16	12	12	12	
Ten stories.....	32	28	24	20	20	20	16	16	16	12	12	12

NON-BEARING WALLS.

SEC. 74. All non-bearing walls of buildings hereinbefore specified may be four inches less in thickness; *provided, however*, that none are less than twelve inches thick, except as hereinafter specified.

PARTITION WALLS.

SEC. 75. Eight-inch brick partition walls may be built to support the beams in buildings used for residence purposes in which the distance between the walls is not over thirty-three feet; *provided*, that no clear span is over twenty-six feet; but no such partition wall shall be built having an eight-inch thick portion measuring vertically more than forty feet. This clause shall not be construed to prevent the use of iron girders or iron girders and columns, or piers of masonry, for the support of the walls and ceiling over any room which has a clear span of more than twenty-six feet between walls. If the clear span is to be over twenty-six feet, then the bearing walls shall be increased four inches in thickness for every twelve and one-half feet or part thereof that said span is over twenty-six feet.

THICKNESS OF WALLS FOR BUSINESS BUILDINGS.

SEC. 76. The walls of all business and manufacturing buildings, warehouses, stores, factories and stables, twenty-five feet or less in width between walls or bearings, shall not be less in thickness than the number of inches given in the following table:

Outside, Party and Division Walls.	Base- ment.		1st story.	2nd story.	3rd story.	4th story.	5th story.	6th story.	7th story.	8th story.	9th story.	10th story.
	Stone.	Brick.										
One story.....	20	16	12									
Two stories.....	20	16	12	12								
Three stories.....	24	20	16	12	12							
Four stories.....	24	20	16	16	12	12						
Five stories.....	28	24	20	20	16	16						
Six stories.....	28	24	20	20	20	16	16					
Seven stories.....	32	28	24	20	20	20	16	16	12			
Eight stories.....	32	28	24	24	20	20	20	16	16	12		
Nine stories.....	32	28	24	24	24	20	20	20	16	16	12	
Ten stories.....	36	32	28	24	24	24	20	20	20	16	16	12

WALLS INCREASED BY LENGTH OF SPAN.

SEC. 77. If there is to be a clear span of over twenty-five feet between walls, the bearing walls shall be four inches more in thickness than is in this section specified for every twelve and one-half feet, or fraction thereof, that said walls are more than twenty-five feet apart. All buildings, not excepting dwellings, that are over one hundred and five feet in depth, without a cross wall, or proper piers or buttresses, shall have the side or bearing walls increased in thickness four inches more than is specified in the respective sections of this title for the thickness of walls for every one hundred and five feet, or part thereof, that the said buildings are over one hundred and five feet in depth. In all business and manufacturing buildings, warehouses, stores, factories and stables, over twenty-five feet in width between walls in which there shall be brick partition walls, or girders supported on iron or wooden columns, or piers of masonry, and girders, shall be made of sufficient strength and size to bear safely the weight and any lateral strain to be imposed upon them. In case iron or wooden girders, supported by iron or wooden columns, or piers of masonry, are substituted in place of brick partition walls, the building shall not

exceed ten thousand feet area on the ground floor, except in case of fire-proof buildings which may be constructed as hereinafter provided for in section 104 of this chapter. In case the walls of any building are less than twenty-five feet apart, and less than forty feet in depth, or there are cross walls which intersect the wall, not more than forty feet distant or between the same, or piers or buttresses built into the walls, the interior walls may be reduced in thickness in just proportion to the number of cross walls, piers or buttresses, and their nearness to each other; *provided, however*, that this clause shall not apply to walls below sixty feet in height, and that no such wall shall be less than twelve inches thick at the top, and gradually increased in thickness by set-offs to the bottom; and the inspector of buildings is hereby authorized and empowered to decide (except where herein otherwise provided for) how much the walls herein mentioned may be permitted to be reduced in thickness, according to the peculiar circumstances of each case, without endangering the strength and safety of the building.

WALLS OF CHURCHES, THEATRES, ETC.

SEC. 78. The walls of churches, theatres, foundries, machine shops, car houses, armories, public markets not over two stories in height, and other buildings of a public character shall in no case be less than is in this Act specified for warehouses; and said buildings shall have in addition thereto, such piers or buttresses as, in the judgment of the inspector of buildings, may be necessary to make a safe and substantial building.

WALLS OF ONE STORY STRUCTURES.

SEC. 79. One story structures, not exceeding a height of fifteen feet, may be built with eight-inch walls when the bearing walls are not more than nineteen feet apart, and the length of the eight-inch bearing wall does not exceed forty-five feet.

CURTAIN WALLS.

SEC. 80. Curtain walls of brick built between iron or steel columns, shall be not less than twelve inches thick for sixty feet of the uppermost height thereof, or to the nearest tier of beams

to that measurement, and every lower section of sixty feet or to the nearest tier of beams to that measurement of four inches more than is required for the section next above it.

BONDING BRICK WALLS.

SEC. 81. In all brick walls every sixth course shall be a heading course, except where walls are faced with brick in running bond, in which latter case every sixth course shall be bonded into the backing by cutting the course of the face brick and putting in diagonal headers behind the same, or by splitting the face brick in half and backing the same with a continuous row of headers.

THICKNESS OF ASHLAR.

SEC. 82. All stone used for the facing of any building, and known as ashlar, shall not be less than four inches thick. Stone ashlar shall be anchored to the backing and the backing shall be of such thickness as to make the walls (independent of the ashlar) conform to the thickness required by this chapter. Iron ashlar plates in imitation of stone ashlar on the face of a wall shall be backed up with the same thickness of brick work as stone ashlar.

USE OF EXISTING PARTY WALLS.

SEC. 83. Walls heretofore built for or used as party walls, whose thickness at the time of their erection was in accordance with the requirements of the then existing laws, but which are not in accordance with the requirements of this title, may be used if in good condition for the ordinary uses of party walls, provided the height of the same be not increased. In case it is desired to increase the height of existing party or independent walls, which walls are less in thickness than required under this title, the same shall be done by a lining of brickwork to form a combined thickness with the old wall of not less than four inches more than the thickness required for a new wall corresponding with the total height of the wall when so increased in height. The said lining shall be supported on proper foundations and carried up to such height as the inspector of buildings may require. No lining shall be less than eight inches in thickness, and all lining shall be laid up in cement mortar and thoroughly anchored to the old brick walls with suitable wrought iron anchors, placed two feet apart

and properly fastened or driven into the old walls in rows alternating vertically and horizontally with each other, the old walls being first cleaned of plaster or other coatings where any lining is to be built against the same.

WALLS TO BE BUILT UNIFORMLY AND BONDED.

SEC. 84. In no case shall any wall or walls of any building be carried up more than two stories in advance of any other wall, except by permission of the inspector of buildings. The front, rear, side and party walls shall be properly bonded together, or anchored to each other every six feet in their height by wrought-iron tie anchors, not less than one and a half inches by three-eighths of an inch in size, and not less than twenty-four inches long.

WALLS TO BE BRACED DURING CONSTRUCTION.

SEC. 85. The walls of every building, during the erection or alteration thereof, shall be strongly braced from the beams of each story, and when required, shall also be braced from the outside, until the building is inclosed. The roof tier of wooden beams shall be safely anchored with plank or joist to the beams of the story below until the building is inclosed.

Every temporary support placed under any structure, wall, girder or beam, during the erection, finishing, alteration or repairing of any building or structure, or any part thereof, shall be of sufficient strength to safely carry the load to be placed thereon.

HEIGHT OF STORIES.

SEC. 86. The height of all stories for all given thicknesses of walls must not exceed eleven feet in the clear for the basement, seventeen feet in the clear for the first story, fourteen feet in the clear for the second story, and twelve feet in the clear in all stories above the second. If any story exceed these heights respectively the walls of such story and the walls of all stories below the same shall be increased four inches in thickness additional to the thicknesses already mentioned.

WALLS OF LIGHT OR VENT SHAFTS.

SEC. 87. In every building hereafter erected, all the walls or partitions forming interior light or vent shafts shall be built of

brick or such other fire-proof materials as may be approved by the inspector of buildings. The walls of all light or vent shafts, whether exterior or interior, hereafter erected, shall be carried up not less than three feet above the level of the roof.

PARTITION WALLS.

SEC. 88. Eight-inch brick and six-inch and four-inch hollow tile partition walls of hard-burnt clay or porous terra cotta may be built, not exceeding in their vertical portion a measurement of fifty, thirty-six and twenty-four feet respectively, and in their horizontal measurement a length not exceeding seventy-five feet, unless strengthened by proper cross walls, piers or buttresses bonded into same. All such walls shall be carried on proper foundations or on iron girders, or on iron girders and columns or piers of masonry. One line of fore and aft partitions in the cellar or lowest story, supporting stud partitions above, in all buildings over eighteen feet between bearing walls in the cellar or lowest story, hereafter erected, shall be constructed of brick not less than eight inches thick, or piers of brick with openings arched over below the underside of the first tier of beams, or piers of brick, or iron columns, with wooden girders when the first tier of floor beams are of wood, or iron or steel girders when the floor beams are of iron or steel, or rolled iron or steel beams of sufficient strength to span the entire width for the first tier of beams may be used, and the stairs shall be inclosed by a suitable brick wall carried up to the top of the tier of beams nearest the curb line.

Fore and aft stud partitions and such other main stud partitions as may be required by the inspector of buildings, which may be placed in the cellar or lowest story of any building, shall have good solid stone or brick foundation walls under the same, which shall be built up to the top of the floor beams or sleepers, and the sills of said partitions shall be of yellow pine or other suitable hard wood; but if the walls are built five inches higher of brick than top of the floor beams or sleepers, any wooden sill may be used on which the studs shall be set. Fore and aft stud partitions that rest directly over each other shall run through the wooden floor beams and rest on the plate of the partition below. All girders supporting the first tier of wooden beams in buildings shall be supported by brick piers, or iron, locust or other suitable hard wood posts of sufficient strength on proper foundations.

RECESSES AND CHASES IN WALLS.

SEC. 89. Recesses for stairways or elevators may be left in the foundation or cellar walls of all buildings, but in no case shall the walls be of less thickness than the walls of the third story, unless reinforced by additional piers, with iron girders or iron columns and girders, securely anchored to walls on each side of recess. No chase for water or other pipes shall be made in any wall more than one-third of its thickness, and the chases around said pipe or pipes shall be filled up with solid masonry for the space of one foot at the top and bottom of each story. Recesses for alcoves and similar purposes shall in no case have less than eight inches of brick work at the back of such recesses, and provided that such recesses shall not be more than eight feet in width, and shall be arched over and not carried up higher than eighteen inches below the bottom of the beams of the floor next above. The aggregate area of recesses in any wall shall not exceed one-fourth of the whole area of the face of the wall on any story, nor shall any such recess be made within a distance of six feet from any other one in the same wall.

OPENINGS FOR DOORS AND WINDOWS.

SEC. 90. Openings for doors and windows in all buildings, except as otherwise provided, shall have good and sufficient arches of stone, brick or terra cotta, well built and keyed with good and sufficient abutments, or lintels of stone as follows: For an opening not more than four feet in width, the lintel shall not be less than eight inches in height; and for an opening not more than six feet in width, the lintel shall not be less than twelve inches in height; and for an opening exceeding six feet in width, and not more than eight feet in width, the lintel shall be the full thickness of the wall to be supported, and not less than fifteen inches in height. Every stone lintel over such opening six feet or less in width, in all walls, shall not be less than four inches thick, and shall have a bearing at each end of not less than five inches on the wall. On the inside of all openings in which the stone lintel shall be less than the thickness of the wall to be supported, there shall be a good timber lintel on the inside of the stone lintel, which shall rest at each end not more than three inches on any wall, and shall be chamfered at each end, and shall have a double row-lock or bonded arch turned over the timber lintel; or the

inside lintel may be of cast-iron, and in such case stone blocks or cast-iron plates shall not be required at the ends where the lintel rests on the walls provided the opening is not more than six feet in width.

PROTECTION FROM FIRES.

SEC. 91. In all furred or studded walls the course of brick above the under side and below the top of each tier of floor beams shall project the thickness of the furring or studs, to more effectually prevent the spread of fire. The walls and piers of all buildings shall be properly bonded and solidly put together with close joints filled with mortar. They shall be built to a line and be carried up plumb and straight. The walls of each story shall be built up the full thickness to the top of the beams above.

CELLAR FLOOR AND CEILINGS.

SEC. 92. The floor of the cellar or the lowest story in every dwelling house, tenement house, apartment house, lodging house and hotel hereafter erected, shall be brick paved or concreted with suitable materials. The ceiling over every cellar or lowest floor in dwelling houses more than three stories in height, when the beams are of wood, shall be lathed with metal lath and plastered thereon with a heavy coat of brown mortar of good materials.

BACKING FOR WAINSCOTING.

SEC. 93. When wood wainscoting is used in any building hereafter erected, the surface of the wall or partition behind such wainscoting shall be plastered down to the floor line, and any intervening space between the said plastering and wainscoting shall be filled in solid with incombustible material.

FIRE STOPS.

SEC. 94. All buildings in the fire district hereafter built shall have fire stops of incombustible material at each floor, from the bottom of the floor joists to three inches above the top of the same. Said fire stops at each floor shall fill the space full between all of the studding, and between all furring on external walls of the building and throughout the interior wherever the floor joists have a bearing. All buildings outside the fire district hereafter

built shall have a fire stop similar to the above at the first floor, and at each floor above the first shall have a smoke stop of wood the full width of studding and not less than two inches thick. An incombustible fire stop shall be put around all vertical piping at each floor in all buildings. All ventilation ducts or pipes shall be of incombustible materials in all buildings.

BUILDINGS FOR RESIDENCES OVER STORES.

SEC. 95. All buildings three stories in height and over, which are used for residence purposes over a store, or stores, shall have the whole space of the second story floor over said store or stores protected by an approved fire-proof material, or a layer at least one inch thick of tile, brick, terra cotta or like fire-made material; plaster, cement, cinder, or ashes, or a combination of the same, laid between the under and upper flooring or between the joists.

AUTHORITIES.

SEC. 96. The dimensions of each piece or combination of materials required shall be ascertained by computation according to the rules and data given in Haswell's Mechanics' and Engineers' Pocket Book, Trautwine's Engineers' Pocket Book, or Kidder's Architects' and Builders' Pocket Book, except as may be otherwise provided in this title.

Stresses for materials and forms of same not herein mentioned shall be those determined by the best modern practice.

FACTORS OF SAFETY.

SEC. 97. The factors of safety shall be as one to four for all beams, girders and other pieces subject to a traverse strain; as one to four for all posts, columns, or other vertical supports when of wrought-iron or rolled steel, and as one to six for cast-iron posts, columns or other vertical supports; as one to five for other materials subject to a compression strain, and as one to six for tie-rods, tie-beams, and other pieces subject to a tensile strain.

STRENGTH OF COLUMNS.

SEC. 98. The strength of all columns and posts shall be computed according to Gordon's formula, and the crushing weights in pounds to the square inch of section, used as coefficients in said

formula, shall not exceed the following for materials named, namely :

	Pounds.
Cast-iron	80,000
Rolled steel	50,000
Wrought or rolled iron	40,000
American oak	4,500
Pitch, or Georgia yellow pine	5,000
White pine	3,500
Spruce	4,000

STRENGTH OF BEAMS.

SEC. 99. The breaking load in pounds applied at the center of wooden beams and girders shall be computed according to the following formula, namely :

$$\text{Breaking load} = \frac{b d^2 a}{L} \text{ in which}$$

b = breadth of beam in inches.

d = depth of beam in inches.

L = to span to center of bearings in feet.

The values of A for the several woods are as follows, namely :

	Pounds.
Hemlock	212
Spruce	280
White pine	240
Pitch, or Georgia yellow pine	400
American oak	300

The wooden beams and girders carrying a uniformly distributed load the constants will be doubled.

STRENGTH OF FLOORS AND ROOFS.

SEC. 100. In every building to be used as a dwelling house, tenement house, or lodging house, each floor shall be of sufficient strength to bear safely upon every superficial foot not less than sixty pounds; if to be used as a schoolhouse or place of instruction, not less than seventy five pounds upon every superficial foot; if to be used as a hotel or apartment-house not less than sixty pounds upon every superficial foot and one hundred pounds upon every superficial foot in all halls, corridors, offices, dining rooms, cafes and in all other rooms and spaces for public use; if to be used as a place of public assembly not less than one hundred and

ten pounds upon every superficial foot: if to be used for ordinary stores, light manufacturing and light storage not less than one hundred and twenty pounds upon every superficial foot: if to be used as a store where heavy materials are kept or stored, warehouse, factory or for any other manufacturing or commercial purpose, not less than one hundred and fifty pounds upon every superficial foot.

Every floor shall be of sufficient strength to bear safely the weight to be imposed thereon in addition to the weight of the materials of which the floor is composed.

The strength of factory floors intended to carry running machinery shall be increased above the minimum given to be transmitted to the floor as may be required by the inspector of buildings.

The roof of all buildings shall be proportioned to bear safely forty pounds upon every superficial foot of their surface in addition to the weight of the material composing the same.

WEIGHT THAT FLOOR WILL SUSTAIN.

SEC. 101. In all warehouses, storehouses, factories, workshops, stores, and other buildings where heavy materials are kept or stored, or machinery introduced, the weight that each floor will safely sustain upon each superficial foot thereof shall be estimated by the owner, or occupant, or by a competent person employed by the owner, or occupant. Before any building hereafter erected is occupied, and used, in whole or in part, for any of the purposes aforesaid, and before any building erected prior to the passage of this act, but not at such time occupied for any of the aforesaid purposes, is occupied or used, in whole or in part, for any of said purposes, the weight that each floor will safely sustain upon each superficial foot thereof shall be ascertained and posted in a conspicuous place on each story of the building to which it relates. The weight placed on any of the floors of any building shall be safely distributed thereon, and the inspector of buildings may require the owner or occupant of any building, or of any portion thereof, to re-distribute where he may deem the same to be necessary for the protection of life and property.

WEIGHT OF BUILDING MATERIAL.

SEC. 102. In computing the weight of walls, a cubic foot of brick work shall be deemed to weigh one hundred and fifteen pounds. Sandstone, white marble, granite and other kinds of building stone shall be deemed to weigh one hundred and sixty pounds per cubic foot. The safe-bearing load to apply to good brick work shall be taken at eight tons per superficial foot, when good lime mortar is used; eleven and one-half tons per superficial foot, when good lime and cement mortar mixed is used; and fifteen tons per superficial foot when good cement mortar is used.

SAFE BEARING LOADS FOR EARTH AND CONCRETE.

SEC. 103. Good, solid, natural earth shall be deemed to safely sustain a load of four tons to the superficial foot, or as otherwise determined by the inspector of buildings, and the width of the footing courses shall be at least sufficient to meet this requirement.

The safe-bearing load to apply to good concrete shall be taken at eleven tons per superficial foot.

BUILDINGS TO BE FIREPROOF.

SEC. 104. Every building hereafter erected or altered to be used as a hotel or apartment house, the height of which exceeds sixty feet; and every building hereafter erected or altered to be used as a schoolhouse, place of instruction, hospital, asylum, or institution for the treatment of persons, the height of which exceeds forty-five feet; and every other building the height of which exceeds seventy-five feet, except grain elevators and church spires, shall be built fireproof. Said fireproof construction to consist of non-combustible materials throughout, except that wood may be used for under and surface floors, window and door frames, sashes, doors, standing finish such as architraves or trim, hand-rails for stairs, necessary sleepers bedded in concrete or other approved non-combustible material, and for isolated furring blocks bedded in the plaster. There shall be no air space behind or surrounding any woodwork.

FIREPROOF CONSTRUCTION AND FIREPROOFING.

SEC. 105. The floors and roofs of all fireproof buildings shall be constructed of iron or steel beams, with brick, hard-burnt clay, or porous terra cotta arches, or of iron or steel beams with wrought-iron or steel bars, wire strands, expanded metal or wire cloth in approved combination with other non-combustible material, *provided, however*, that any system of fireproof floor construction consisting of a combination of metal and non-combustible material shall be subject to the approval of the inspector of buildings before being used.

All constructional iron or steel work shall be protected in every part at least two inches in thickness of hard-burnt clay, porous terra cotta, or other approved fireproof material allowed to be used for the filling between the beams under the provisions of this section, such incasing material to be properly secured to the iron and steel work. In the case of columns the extreme outer edge of lugs, brackets, and similar supporting metal may project to within seven-eighths of an inch of the surface of the fireproofing.

Brick, hard-burnt clay, and porous terra cotta arches to be laid on centers with close joints well filled with Portland cement mortar in the proportions of not more than two of sand to one of cement by measure. The arches constructed in such a manner that the key blocks shall always fall in the central portion.

IRON AND STEEL CONSTRUCTION—FIBER STRESS FOR STEEL
AND IRON.

SEC. 106. All girders, beams, corbels, brackets and trusses, if made of steel, shall be so proportioned that the maximum fiber stress will not exceed 16,000 pounds per square inch; or if made of rolled or wrought-iron, the maximum fiber stress shall not exceed 12,000 pounds per square inch.

Iron or steel floor beams shall be so arranged as to spacing and length of beams that the load to be supported by them, together with the weights of the materials used in the construction of the said floors, shall not cause a deflection of the said beams of more than one-thirtieth of an inch per linear foot of span; and they shall be tied together at intervals of not more than eight times the depth of the beam.

MAXIMUM STRESSES IN RIVETED PLATE GIRDERS.

SEC. 107. The maximum stresses in riveted plate girders shall not exceed the following, namely: Stresses in top and bottom flanges 14,000 pounds per square inch for steel, and 12,000 pounds per square inch for iron, net area in each case; shearing stress in web 9,000 pounds per square inch for steel, and 6,000 pounds per square inch for iron, but no web plate shall be less than three-eighths of an inch in thickness. Riveted plate girders shall be proportioned upon the supposition that the bending on flanges strains are resisted entirely by the upper and lower flanges, and that the shearing strains are resisted entirely by the web plate. No part of the web shall be estimated as flange area. The distance between the centers of gravity of the flange areas shall be considered as the effective depth of the girder. Rivets in plate girders shall not be less than three-quarters of an inch in diameter.

The maximum stress per square inch of rivet area (single shear) shall not exceed the following for all kinds of riveted work, namely: For shop driven rivets 10,000 pounds for steel and 7,500 pounds for iron, and for field driven rivets 8,000 pounds for steel, and 6,000 pounds for iron. The maximum direct bearing for rivets and pins shall not exceed 20,000 pounds per square inch for steel, and 15,000 pounds per square inch for wrought-iron.

SKELETON CONSTRUCTION.

SEC. 108. Where columns are used to support iron or steel girders carrying inclosure walls, the said columns shall be of cast-iron, wrought-iron, or rolled steel, and on their exposed outer and inner surfaces be constructed to resist fire by having a casing of brickwork not less than eight inches in thickness on the outer surfaces, nor less than four inches in thickness on the inner surfaces, and all bonded into the brickwork of the inclosure walls. The exposed sides of the iron or steel girders shall be similarly covered in with brickwork not less than four inches in thickness on the outer surfaces and tied and bonded, but the extreme outer edge of the flanges of beams, or plates or angles connected to the beams, may project to within two inches of the outside surface of the brick casing. The inside surfaces of girders may be similarly covered with brickwork, or if projecting inside of the wall, they shall be protected by terra cotta, concrete or other fireproof ma-

terial. Girders for the support of the inclosure walls shall be placed at the floor line of each story.

STEEL AND WROUGHT-IRON COLUMNS.

SEC. 109. No part of a steel or wrought-iron column shall be less than one-quarter of an inch thick. No wrought-iron or rolled steel column shall have an unsupported length of more than forty times its least lateral dimension or diameter, except in such cases as the inspector of buildings may specially allow a greater unsupported length. The ends of all columns shall be faced to a plane surface at right angles to the axis of the columns and the connection between them shall be made with splice plates. The joint may be effected by rivets of sufficient size and number to transmit the entire stress, and then the splice plates shall be equal in sectional area to the area of column spliced. When the section of the columns to be spliced is such that spliced plates cannot be used, a connection formed of plates and angles may be used, designed to properly distribute the stress. No material, whether in the body of the column or used as lattice-bar or stay-plate, shall be used in any wrought-iron or steel column of less thickness than one-thirty-second of its unsupported width measured between centers of rivets transversely, or one sixteenth the distance between centers of rivets in the direction of the stress. Stay-plates are to have not less than four rivets, and are to be spaced so that the ratio of length by the least radius of gyration of the parts connected does not exceed forty; the distance between nearest rivets of two stay-plates shall in this case be considered as length. Steel and wrought-iron columns shall be made in one, two or three-story lengths, and the materials shall be rolled in one length wherever practicable to avoid intermediate splices. Where any part of the section of a column projects beyond that of the column below, the difference shall be made up by filling plates secured to column by the proper number of rivets. Shoes of iron or steel, as described for cast-iron columns, or built shoes of plates and shapes may be used, complying with the same requirements.

CAST-IRON COLUMNS.

SEC. 110. Cast-iron columns shall not have less diameter than five inches, or less thickness than three-quarters of an inch. Nor shall they have an unsupported length of more than twenty times

their least lateral dimensions or diameter, except the same may form part of an elevator inclosure or staircase, and also except in such cases as the inspector of buildings may specially allow a greater unsupported length. All cast-iron columns shall be of good workmanship and material. The top and bottom flanges, seats and lugs shall be of ample strength, reinforced by fillets and brackets; they shall be not less than one inch in thickness when finished. All columns must be faced at the ends to a true surface perpendicular to the axis of the column. Column joints shall be secured by not less than four bolts each, not less than three-quarters of an inch in diameter. The holes for these bolts shall be drilled to a template. The core of a column below a joint shall be not larger than the core of the column above and the metal shall be tapered down for a distance of not less than six inches, or a joint plate may be inserted of sufficient strength to distribute the load. The thickness of metal shall be not less than one-twelfth the diameter or the greatest lateral dimension of cross section, but never less than three-quarters of an inch. Wherever the core of a cast-iron column has shifted more than one-fourth the thickness of the shell, the strength shall be computed assuming the thickness of metal all around equal to the thinnest part, and the column shall be condemned if this computation shows the strength to be less than required by this ordinance. Wherever blowholes or imperfections are found in a cast-iron column which reduces the area of the cross-section at that point more than ten per cent., such column shall be condemned. Cast-iron posts or columns not cast with one open side or back, before being set up in place, shall have a three-eighths of an inch hole drilled in the shaft of each post or column, by the manufacturer or contractor furnishing the same, to exhibit the thickness of the castings; and any other similar sized hole or holes which the inspector of buildings may require, shall be drilled in the said posts or columns by the said manufacturer or contractor at his own expense.

Iron or steel shoes or plates shall be used under the bottom tier of columns to properly distribute the load on the foundation. Shoes shall be placed on top.

DOUBLE COLUMNS.

SEC. 111. In all buildings hereafter erected or altered, where any iron or steel column or columns are used to support a wall or

part thereof, whether the same be an exterior or an interior wall, and columns located below the level of the sidewalk which are used to support exterior walls or arches over vaults, the said column or columns shall be either constructed double, that is, an outer and an inner column, the inner column alone to be of sufficient strength to sustain safely the weight to be imposed thereon, and the outer columns shall be one inch shorter than the inner columns, or such other iron or steel column of sufficient strength, and protected with not less than two inches of fireproof material securely applied, except that double or protected columns shall not be required for walls fronting on streets or courts.

PARTY WALL POSTS.

SEC. 112. If iron or steel posts are to be used as party posts in front of a party wall, and intended for two buildings, then the said posts shall be not less in width than the thickness of the party wall, nor less in depth than the thickness of the wall to be supported above. Iron or steel posts in front of side, division or party walls, shall be filled up solid with masonry and made perfectly tight between the posts and walls. Intermediate posts may be used, which shall be sufficiently strong, and the lintels thereon shall have sufficient bearings to carry the weight above with safety.

PLATES BETWEEN JOINTS OF OPEN BACK COLUMNS.

SEC. 113. Iron or steel posts or columns with one or more open sides and backs shall have solid iron plates on top of each, excepting where pierced for the passage of pipes.

STEEL AND IRON GIRDERS.

SEC. 114. Rivets in flanges shall be spaced so that the least value of a rivet for either shear or bearing is equal or greater than the increment of strain due to the distance between adjoining rivets. All other rules given under riveting shall be followed. The length of rivets between heads shall be limited to four times the diameter. The compression flange of plate girders shall be secured against buckling, if its length exceeds thirty times its width. If splices are used, they shall fully make good the members spliced

in either tension or compression. Stiffeners shall be provided over supports and under concentrated loads; they shall be of sufficient strength, as a column, to carry the loads, and shall be connected with a sufficient number of rivets to transmit the stresses into the web plate. Stiffeners shall fit so as to support the flanges of the girders. If the unsupported depth of the web plate exceeds sixty times its thickness, stiffeners shall be used at intervals not exceeding one hundred and twenty times the thickness of the web.

ROLLED STEEL AND WROUGHT-IRON BEAMS USED AS GIRDERS.

SEC. 115. When rolled steel or wrought-iron beams are used in pairs to form a girder, they shall be connected together by bolts and iron separators at intervals of not more than six times the depth of the beam and in any case not more than six feet. All beams twelve inches and over in depth shall have at least two bolts to each separator.

CAST-IRON LINTELS.

SEC. 116. Cast-iron lintels shall not be used for spans exceeding twelve feet. Cast-iron lintels or beams shall be not less than three-quarters of an inch in thickness in any of their parts.

PLATES UNDER ENDS OF LINTELS AND GIRDERS.

SEC. 117. When the lintels or girders are supported at the ends by brick walls or piers they shall rest upon cut granite, East Haven stone, or bluestone blocks at least eight inches thick, or upon cast-iron plates of equal strength by the full size of the bearings. In case the opening is less than twelve feet, the stone blocks may be five inches in thickness, or cast-iron plates of equal strength by the full size of the bearings, may be used, provided that in all cases the safe loads do not exceed those fixed by section 102 of this ordinance.

ROLLED STEEL AND WROUGHT-IRON FLOOR AND ROOF BEAMS.

SEC. 118. All rolled steel and wrought-iron floor and roof beams used in buildings shall be of full weight, straight and free

from injurious defects. Holes for tie rods shall be placed as near the thrust of the arch as practicable. The distance between tie rods in floors shall not exceed eight feet, and shall not exceed eight times the depth of floor beams twelve inches and under. Channels or other shapes where used as skewbacks, shall have a sufficient resisting moment to take up the thrust of the arch. Bearing plates of stone or metal shall be used to reduce the pressure on the wall to the working stress. Beams resting on girders shall be securely riveted or bolted to the same; where joined on a girder, tie straps of one-half inch net sectional area shall be used, with rivets or bolts to correspond. Anchors shall be provided at the ends of all such beams bearing on walls.

TEMPLATES UNDER ENDS OF STEEL OR IRON FLOOR BEAMS.

SEC. 119. Under the ends of all iron or steel beams where they rest on the walls, a stone or cast-iron template shall be built into the walls. Templates under ends of steel or iron beams shall be of such dimensions as to bring no greater pressure upon the brickwork than that allowed by section 103 of this ordinance. When rolled iron or steel floor beams, not exceeding six inches in depth, are placed not more than thirty inches on centers, no templates shall be required.

FRAMING AND CONNECTING STRUCTURAL WORK.

SEC. 120. All iron or steel trimmer beams, headers, and tail beams, shall be suitably framed and connected together, and the iron or steel girders, columns, beams, trusses and all other iron work of all floors and roofs shall be strapped, bolted, anchored and connected together, and to the walls.

All beams framed into and supported by other beams or girders, shall be connected thereto by angles or knees of a proper size and thickness, and have sufficient bolts or rivets in both legs of each connecting angle to transmit the entire weight or load coming on the beam to the supporting beam or girder. In no case shall the shearing value of the bolts or rivets or the bearing value of the connection ankles, provided for in this ordinance, be exceeded.

RIVETING OF STRUCTURAL STEEL AND WROUGHT-IRON WORK.

SEC. 121. The distance from center of a rivet hole to the edge of the material shall be not less than—

- $\frac{5}{8}$ of an inch for $\frac{1}{2}$ inch rivets.
- $\frac{7}{8}$ of an inch for $\frac{5}{8}$ inch rivets.
- $1\frac{1}{8}$ of an inch for $\frac{3}{4}$ inch rivets.
- $1\frac{3}{8}$ of an inch for $\frac{7}{8}$ inch rivets.
- $1\frac{1}{2}$ of an inch for 1 inch rivets.

Wherever possible, however, the distance shall be equal to two diameters. All rivets, wherever practicable, shall be machine driven. The rivets in connections shall be proportioned and placed to suit the stresses. The pitch of rivets shall never be less than three diameters of the rivet, nor more than six inches. In the direction of the stress it shall not exceed sixteen times the least thickness of the outside member. At right angles to the stress it shall not exceed thirty-two times the least thickness of the outside member. All holes shall be punched accurately, so that upon assembling a cold rivet will enter the hole without straining the material by drifting. Occasional slight errors shall be corrected by reaming. The rivets shall fill the holes completely; the heads shall be hemispherical and concentric with the axis of the rivet. Gussets shall be provided wherever required, of sufficient thickness and size to accommodate the number of rivets necessary to make a connection.

BOLTING OF STRUCTURAL STEEL AND WROUGHT-IRON WORK.

SEC. 122. Where riveting is not made mandatory connections may be affected by bolts. These bolts shall be of wrought-iron or mild steel, and they shall have U. S. standard threads. The threads shall be full and clean, the nut shall be truly concentric with the bolt, and the thread shall be of sufficient length to allow the nut to be screwed up tightly. When bolts go through bevel flanges, bevel washers to match shall be used so that head and nut of bolt are parallel. When bolts are used for suspenders, the working stresses shall be reduced for wrought-iron to ten thousand pounds and for steel to fourteen thousand pounds per square inch of net area, and the load shall be transmitted into the head or nut by strong washers distributing the pressure evenly over the entire surface of the same. Turned bolts in reamed holes shall be deemed a substitute for field rivets.

STEEL AND WROUGHT-IRON TRUSSES.

SEC. 123. Trusses shall be of such design that the stresses in each member can be calculated. All trusses shall be held rigidly in position by efficient systems of lateral and sway bracing, struts shall be spaced so that the maximum limit of length shall not be greater than one hundred times the least radius of gyration. Any member of a truss subjected to transverse stress, in addition to direct tension or compression, shall have the stresses causing such strain added to the direct stresses coming on the member. The compression and tension stresses shall not exceed 16,000 pounds per square inch of net area in any member.

RIVETED STEEL AND WROUGHT-IRON TRUSSES.

SEC. 124. For tension members, the actual net area only, after deducting rivet holes, one-eighth inch larger than the rivets, shall be considered as resisting the stress. If tension members are made of angle irons riveted through one flange only, only that flange shall be considered in proportioning areas. Rivets to be proportioned as prescribed in this chapter. If the axis of adjoining web members do not intersect within the line of the chords, sufficient area shall be added to the chord to take up the bending strains. No bolts shall be used in the connections of riveted trusses, excepting when riveting is impracticable, and then the holes shall be drilled or reamed.

STEEL AND IRON PIN-CONNECTED TRUSSES.

SEC. 125. The bending stresses on pins shall be limited to twenty thousand pounds for steel and fifteen thousand pounds for iron. All compression members in pin-connected trusses shall be proportioned, using seventy-five per cent. of the permissible working stress for columns. The heads of all eye bars shall be made by upsetting or forging. No weld will be allowed in the body of the bar. Steel eye-bars shall be annealed. Bars shall be straight before boring. All pinholes shall be bored true, and at right angles to the axis of the members, and must fit the pin within one-thirty-second of an inch. The distance of pin-holes from center to center for corresponding members shall be alike, so that, when piled upon one another, pins will pass through both ends without forcing. Eyes and screw ends shall be so proportioned

that upon test to destruction, fracture will take place in the body of the member. All pins shall be accurately turned. These pin-plates shall be connected to the members by rivets of sufficient size and number to transmit the stresses without exceeding working stresses. All rivets in members of pin-connected trusses shall be machine driven. All rivets in pin-plates which are necessary to transmit stress shall be also machine driven. The main connections of members shall be made by pins. Other connections may be made by bolts. If there is a combination of riveted and pin-connected members in one truss, these members shall comply with the requirements for pin-connected trusses; but the riveting shall comply with the requirements of this chapter.

IRON AND OTHER METAL FRONTS TO BE FILLED IN.

SEC. 126. All cast-iron or metal fronts shall be backed up or filled in with masonry of the thicknesses provided for in this chapter.

PAINTING OF STRUCTURAL METAL WORK.

SEC. 127. All structural metal work shall be cleaned of all scale, dirt and rust, and be thoroughly coated with one coat of paint. Cast-iron columns shall not be painted until after inspection by the inspector of buildings. Where surfaces in riveted work come in contact, they shall be painted before assembling. After erection all work shall be painted at least one additional coat. All iron or steel used under water shall be inclosed with concrete to exclude the air and water to the satisfaction of the inspector of buildings.

THEATRES.

SEC. 128. Every building hereafter erected or altered to be used as a theatre or public place of amusement involving the use of a stage with movable or shifting scenery, curtains and machinery, shall be of brick and fire-resisting construction throughout, except the flooring boards and the portion of the stage floor fronting the auditorium, which may be constructed of wood. Such building shall have the highest part of the main auditorium floor not more than four feet above the sidewalk; shall have at least one frontage on the street or avenue, with openings for exits not less than one-third of the frontage of the building, and shall have the doors,

halls, corridors, lobbies, stairways, passages, and aisles wide, direct, and so constructed and arranged as to afford easy egress under all circumstances.

All buildings which, at the time of the passage of this ordinance, are in use or in course of construction as theatres shall, on or before September 1, 1905, comply with the requirements of sections 129, 131, 132, 139, 140, 141, 144, 145, 146, 147, 148, 150, 151.

REFUSAL OF PERMIT.

SEC. 129. No building erected or altered to be used for a theatre or public place of amusement involving the use of a stage with movable or shifting scenery, curtains and machinery, shall be used for such purposes until a license has been secured for the same. No license shall be issued until the inspector of buildings shall have certified in writing that said building is erected or altered and has been completed in accordance with the building ordinances.

Any inspector of buildings issuing such a certificate with knowledge that the requirements of these ordinances have not been complied with, shall be fined not more than \$100 and imprisoned not more than one year.

OPEN COURT BOTH SIDES.

SEC. 130. In addition to the aforesaid entrances and exits on the street, there shall be reserved for service in case of an emergency, an open court or space on the side not bordering on the street, where said building is located on a corner lot; and on both sides of said building, where there is but one frontage on the street. The width of such open court or courts shall be not less than seven feet where the seating capacity is not over one thousand people, above one thousand and not more than eighteen hundred people, eight feet in width, and above eighteen hundred people, ten feet in width. Said open court or courts shall begin on a line with or near the proscenium wall and shall extend the length of the auditorium proper, to or near the wall separating the same from the entrance lobby or vestibule. A separate and distinct corridor shall continue to the street, from each open court, through such superstructure as may be built on the street side of the auditorium, with continuous walls of brick or fireproof materials on

each side of the entire length of said corridor or corridors, and the ceiling and floors shall be fireproof. Said corridor or corridors shall not be reduced in width to more than two feet less than the width of the open court or courts, and there shall be no projection in the same; the outer openings to be provided with doors or gates opening toward the street. During the performance the doors or gates in the corridor shall be kept open by proper fastenings; at other times they may be closed and fastened by movable bolts or locks. The said open courts and corridors shall not be used for storage purposes, or for any purpose whatsoever, except for exit and entrance from and to the auditorium and stage, and must be kept free and clear during performances.

CAPACITY OF CORRIDORS.

SEC. 131. The aggregate capacity of the foyers, lobbies, corridors, passages and rooms for the use of the audience, not including aisle space between seats, shall, on each floor or gallery, be sufficient to contain the entire number to be accommodated on said floor or gallery, in the ratio of one hundred and fifty superficial feet of floor room for every one hundred persons.

SEATS TO BE FASTENED TO FLOOR.

SEC. 132. All seats in the auditorium, excepting those contained in boxes, shall be firmly secured to the floor, and no seat in the auditorium shall have more than six seats intervening between it and an aisle, on either side, and no stool or seat shall be placed in any aisle.

FLOOR.

SEC. 133. All changes in the levels of the floors of such buildings, except under stairways, from story to story, and except the necessary steps in galleries and balconies rising toward the exits, shall be made by inclines of no steeper gradient than two in ten within the auditorium and rising toward the exits and one in ten for all others.

AISES.

SEC. 134. All aisles on the respective floors in the auditorium, having seats on both sides of the same, shall not be less than three (3) feet wide where they begin and shall be increased in width

toward the exits in the ratio of one and one-half ($1\frac{1}{2}$) inches to every five (5) running feet. Aisles having seats on one (1) side only shall not be less than two (2) feet wide at their beginning and increased in width the same as aisles having seats on both sides. There shall be aisles not less than three (3) feet wide next to the wall of all such auditoriums. Where the aisles are of uniform width throughout their width shall be the average width proportioned as above, but no such aisle shall be less than three (3) feet six (6) inches wide.

Steps shall not be permitted in aisles except as extending from bank to bank of seats, and wherever the rise from bank to bank is two (2) in ten (10) or less, the floor of the aisle shall be made as an inclined plane, and where steps are placed outside aisles or corridors they shall be placed and maintained so as to clearly light every place where there are steps in inclosing aisles and corridors.

HEATING APPARATUS.

SEC. 135. All heating boilers shall be placed outside of the walls of theatres, and their situation approved by the inspector of buildings and the chief of the fire department.

No boiler, furnace, nor heating apparatus except steam pipes and radiators shall be located under the auditorium or stage, nor under any passage or stairway of exit.

STAIRWAYS.

SEC. 136. All stairways shall be composed of iron, stone, or other incombustible materials. The risers shall not be more than seven and a half inches nor the treads less than ten and a half inches. No window shall be used in any stairway for entrance or exit. All stairways must be constructed with secure handrails or brick dividing walls sufficient in construction to prevent accident in case of heavy pressure. There shall be two stairways from each floor of an auditorium, starting not less than five feet wide at the upper gallery and increasing one foot in width for each one hundred seats in the galleries below. From the auditorium opening into the said open courts, or on the side street there shall not be less than two exits on each side, in each tier, from and including the parquet and each and every gallery. Each exit shall be at least five feet in width in the clear, and provided with doors of iron, or wooden doors covered with tin on both sides and edges. All of said doors shall open out-

wardly, and must be fastened with movable bolts, the bolts to be kept drawn during performances. There shall be balconies not less than four feet in width in the said open court or courts at each level or tier above the parquet on each side of the auditorium of sufficient length to embrace the two exits, and from said balconies there shall be staircases extending to the ground level with a rise of not over eight and a half inches to a step, and not less than nine inches tread exclusive of the nosing. The staircase from the upper balcony to the next below shall not be less than thirty-nine inches in width in the clear, and from the first balcony to the ground three feet in width in the clear, where the seating capacity of the auditorium is one for one thousand people or less, three feet and six inches in the clear where above one thousand and not more than eighteen hundred people and four feet in the clear where above eighteen hundred people and not more than twenty-five hundred people, and not over four feet six inches in the clear where about twenty-five hundred people. All the before mentioned balconies and staircases shall be constructed of iron throughout, including the floors, and of ample strength to sustain the load to be carried by them, and they shall be covered with a metal hood or awning, to be constructed in such manner as shall be satisfactory to the inspector of buildings. Where one side of a building borders on a street there shall be balconies and staircases of like capacity and kind, as before mentioned, but said staircases shall end at a balcony placed not less than seven feet above the level of the ground, and from said balcony to the ground there shall be arranged a hinged iron ladder.

All staircases for the use of the audience shall be enclosed with walls of brick, or of fireproof materials approved by the inspector of buildings, in the stories through which they pass, and the openings to said staircases from each tier shall be the full width of such staircase.

PARTITION WALLS.

SEC. 137. All partitions inclosing lobbies and corridors or separating them from auditorium shall be of brick masonry or of other non-combustible materials. Every approach to, or exit from, a theatre or other place of amusement through any other building shall have inclosing walls of brick, stone, or iron, and floors and ceilings of approved incombustible, fire resisting materials, and there shall be no opening through said walls, floors, or ceilings.

WALLS TO SEPARATE STAGE AND AUDITORIUM.

SEC. 138. The stage shall be separated from the auditorium by a brick wall and not less than 18 inches thick, or its equivalent, the entire width of the building and topped out at least four feet above the roof over the auditorium. There shall be no openings in this wall except the curtain opening, and not more than two others, to be located at the level or below the stage. These latter openings shall not exceed twenty one superficial feet each, with iron or tin covered wood and self-closing doors securely hung to rebates in the brickwork, so as to be opened from either side at all times. The wall over the curtain opening shall be carried by iron girders or by a brick arch of sufficient capacity and secured at each side of opening to prevent motion by thrust of arch.

SEC. 139. There shall be water plugs on each side of stage and fly floors, with sufficient hose attached to each plug of the size used by the fire department to reach any point on or above the stage. They must be kept free from obstruction and ready for use at any moment. There shall be placed over the curtain opening the full width a two-inch perforated pipe, supplied at each end by a one and a half inch rising main, with valves controlled from stage, each side, to form when in service a water curtain or automatic sprinkler, as the inspector of buildings may direct.

FIREPROOF CURTAIN.

SEC. 140. The proscenium opening shall be provided with a metal fireproofed curtain, or a curtain of asbestos or other fireproof material, sliding at each end in grooves securely fastened to the brick wall and extending into such grooves to a depth of not less than six (6) inches on each side of the opening, or such asbestos or fireproof curtain may be provided with steel cable guides not less than one-quarter ($\frac{1}{4}$) of an inch in diameter, provided that such curtain laps over the stage openings at the sides and top not less than twelve (12) inches, and that attached to said curtain at the top and bottom for the full width thereof shall be wrought iron or steel pipe not less than one and one-half ($1\frac{1}{2}$) inches internal diameter.

Said fireproof curtain shall be raised and lowered between each act or intermission and at the close of each performance, and remain closed until the beginning of the next performance, except

during rehearsals, and be placed at least (3) feet distant from the footlights at the nearest point if gas is used.

Act drop curtains shall also be of fireproof material or material fireproofed.

WOODWORK COVERED WITH FIREPROOF MATERIALS.

SEC. 141. All permanent stage scenery, curtains and decorations made of combustible material belonging to the building and all the woodwork on or about the stage shall be painted or saturated with some non-combustible material, or otherwise rendered safe against fire, and the finishing coats of paint applied to all woodwork throughout the entire building shall be of such kind as will resist fire.

WORKSHOP OR STORAGE ABOVE OR UNDER AUDITORIUM.

SEC. 142. No workshop, storage or general property room shall be allowed above the auditorium or stage, or under the same, or in any of the fly galleries. All of said rooms or shops may be located in the rear or at the side of the stage, but in such cases they shall be separated from the stage by a brick wall, and the openings leading into said portions shall have fireproof doors on each side of the openings, hung to iron eyes built into the wall.

CONSTRUCTION OF GALLERIES.

SEC. 143. When galleries are constructed, all columns and girders used in the construction of the same must be of iron or steel.

VENTILATORS.

SEC. 144. In all theatres skylighted ventilators constructed of incombustible materials, having openings equal in area to one-tenth (1-10) the area of the stage floor, having the whole top so constructed and counter-balanced to open automatically, operated by cords or wires from at least two (2) points near the exits on opposite sides of the stage, and having an arrangement of combustible cords or fusible connection to open the ventilating valves automatically by the action of fire on the stage, shall be placed near the center and above the highest part of the stage.

Skylight covering of ventilators shall have sheet metal frames set with double-thick glass, each pane thereof measuring not less

than three hundred (300) square inches, and immediately underneath such glass there shall be a wired netting. Wired glass shall not be used as a substitute for such netting.

NUMBER OF EXITS REQUIRED.

SEC. 145. Every theatre accommodating three hundred persons shall have at least two exits; when accommodating five hundred persons, at least three exits shall be provided, these exits not referring to or including the exits to the open court or courts at the sides of the theatre. Doorways of exit or entrance for the use of the public shall not be less than five feet in width, and for every additional one hundred persons or portion thereof to be accommodated, in excess of five hundred, twenty inches additional exit must be allowed. All doors of exit or entrance shall open outwardly and be hung to swing in such a manner as not to become an obstruction in a passage or corridor, and no such door shall be closed and locked during any representation, or when the building is open to the public. Distinct and separate places of exit and entrance shall be provided for each gallery above the first. A common place of exit and entrance may serve for the main floor of the auditorium and the first gallery. No passage leading to any stairway communicating with any entrance or exit shall be less than four feet in width in any part thereof. All stairs within the building shall be constructed of fire-proof material throughout.

EXIT SIGNS AND RED LIGHTS.

SEC. 146. Each and every exit of a theatre or other public place of amusement which can be used in case of fire shall be designated by the word "Exit" in letters of such size that they can be read from the opposite side of the auditorium, and so situated immediately over or on the exits that they can be readily seen from any or all parts of said auditorium or gallery. A red light shall be placed over each of said signs and kept burning during the time of the entertainment or performance, and no other fixed red lights will be permitted in the auditorium, and the fact that such red lights indicate an exit to be used in case of fire shall be conspicuously printed on the programme used in the theatre or other public place of amusement at each entertainment. All said red exit lights shall be lighted by gas.

THEATRE LIGHTING.

SEC. 147. All theatres shall be lighted by electric light only and shall have at least three separate and distinct circuits: (*a*) for the stage, (*b*) and (*c*) for the auditorium, corridors, and exits. The circuits referred to in (*b*) and (*c*) shall be so arranged that half of the lights in each division of the auditorium and half of those in each corridor and exit shall be on (*b*) and the other half on (*c*) circuit. When the current is supplied by a public lighting company these circuits shall be taken separately from the street mains.

Under all circumstances complete metallic circuits must be employed. Gas and water pipes shall never form a part of any circuit.

The number of lamps shall be so subdivided that no subcircuit shall carry any more than 60 amperes, and each subcircuit shall start from a distributing board.

EXIT LIGHTING.

SEC. 148. The red lights over exits in auditorium and all lights in passages and stairways shall be independent of the lights in other parts of the house, and so arranged that they cannot be turned off from the stage or platform.

STAND PIPES.

SEC. 149. Stand pipes four (4) inches in diameter shall be provided with hose attachments on every floor and gallery, as follows, namely: One (1) on each side of the auditorium in each tier, also on each side of the stage in each tier, and at least one (1) in the property room, and one (1) in the carpenter shop, if the same be contiguous to the building. All stand pipes shall be kept clear from obstruction. Said stand pipes shall be separated and distinct, receiving their supply of water direct from the street main, one (1) for the auditorium, and one (1) for the stage, and shall be fitted with regulation couplings of the fire department, and be ready for immediate use at all times during a performance in said building. When the pressure of the street water service is not sufficient to provide an efficient working pressure at the hose nozzle or sprinkler outlets, then the stand pipe shall be kept filled with water by means of an automatic pump or pumps of sufficient capacity to supply all the fire lines connected herewith.

HOSE.

SEC. 150. A proper and sufficient quantity of two and one-half inch hose, not less than fifty feet in length, fitted with regulation couplings of the fire department, and with nozzles attached thereto, and with hose spanners at each outlet, shall be kept always attached to each hose attachment.

PUBLIC BUILDINGS TO HAVE AMPLE STAIRWAYS.

SEC. 151. In all buildings of a public character, such as hotels, churches, theatres, restaurants, railroad depots, public halls and other buildings used or intended to be used for purposes of public assembly, amusement or instruction, the halls, doors, stairways, seats, passageways and aisles, and all lighting and heating appliances and apparatus shall be arranged as the inspector of buildings shall direct to facilitate egress in case of fire or accident, and to afford the requisite and proper accommodation for the public protection in such cases. All aisles and passageways in said buildings shall be kept free from camp stools, chairs, sofas and other obstructions, and no person shall be allowed to stand in or occupy any of said aisles or passageways during any performance, service, exhibition, lecture, concert, ball or any public assemblage.

The inspector of buildings, with the concurrence of the chief of the fire department, may, at any time, serve a written or printed notice upon the owner, lessee or manager of any of said buildings, directing any act or thing to be done or provided in or about the said buildings and the several appliances therewith connected, such as halls, doors, stairs, windows, seats, aisles, fire-walls, fire appliances and fire-escapes, so as to afford such security to the public in the uses to which they may be severally applied, as they may deem necessary. Upon report to the mayor of the city by the inspector of buildings that any order or requirement of this title in regard to theatres or places of public amusement has been violated or not complied with, in any such building, the said mayor may, in his discretion, revoke the license of such theatre or place of public amusement, and cause the same to be closed.

ASSEMBLY HALLS.

SEC. 152. Permits for the erection of buildings to be used wholly or partly as assembly halls will not be issued until the plans for ventilation and protection from fire have been approved by

the inspector of buildings. The number, size, and location of the exits must be approved by the inspector of buildings and the chief of the fire department.

Existing buildings shall not be altered for use as halls for public assembly except in accordance with these regulations.

CHIMNEYS.

SEC. 153. All chimneys shall be built of brick, stone or other incombustible materials.

Chimneys in all buildings shall have walls at least eight inches thick, if of brick, unless terra cotta or fire clay flue linings are used, in which case four inches of brick work may be omitted. Chimneys other than those built of brick shall have walls at least eight inches thick and shall have an additional lining of four inches of brick work or a terra cotta or fire-clay lining. Said flue lining shall start from the bottom of the flue, or from the throat of the fireplace, if the flue starts from the latter, and shall be carried up continuously to the extreme height of the flue. The joints of all such linings shall be made to fit close together and the linings shall be built in as the flue or flues are carried up.

Every chimney hereafter built shall have an opening at or near the bottom sufficient to admit the cleaning of the same.

INSIDE OF FLUES TO BE SMOOTH.

SEC. 154. All flues in every building shall be properly cleaned and all rubbish removed, and the flues left smooth on the inside upon the completion of all buildings.

CONSTRUCTION UNDER CHIMNEY.

SEC. 155. No chimney shall be started or built upon any floor or beam of wood. In no case shall a chimney be corbeled out more than eight inches from the wall, and in all such cases the corbeling shall consist of at least five courses of brick. Where chimneys are supported by piers, the piers shall start from the foundation on the same line with the chimney breast, and shall be not less than twelve inches on the face, properly bonded into the walls. No chimney shall be cut off below, in whole or in part, and supported by wood, but shall be wholly supported by stone, brick or iron. All chimneys which shall be dangerous in any

manner whatsoever shall be repaired and made safe, or taken down. Iron cupola chimneys of foundries shall extend at least ten feet above the highest point of any roof within a radius of fifty feet of such cupola, and be covered on top with a heavy wire netting.

All smoke flues shall extend at least four feet above a flat roof and at least three feet above a peak roof, and shall be coped with well-burnt terra cotta, stone or cast-iron.

FIREPLACES.

SEC. 156. All fireplaces shall have trimmer arches to support hearths, and the said arches shall be at least sixteen inches in width, measured from the face of the chimney breast, and at least one foot longer on each side than the width of the fireplace opening, and they shall be constructed of brick, stone or burnt clay. Wooden centering under trimmer arches shall be removed before plastering the ceiling underneath. The fire-backs of all fireplaces hereafter erected shall not be less than eight inches in thickness of solid masonry.

STOVES.

SEC. 157. Stoves shall not be placed nearer than twenty inches to any unprotected woodwork. Floors under all stoves shall be protected by a covering of incombustible material. Where a kitchen range is placed near a wooden stud partition, the studs shall be cut away and framed two feet higher and one foot wider than the range and filled in to a line with said stud partition with brick or fireproof blocks and plastered thereon. In cases where hot water, steam, hot-air or other heating appliances or furnaces are hereafter placed in any building, or flues or fireplaces are changed or enlarged, due notice shall first be given to the inspector of buildings by the contractor or inspector of said work.

STOVE PIPES TO BE GUARDED.

SEC. 158. No stove pipe in any building with wooden or combustible floors, ceilings or partitions, shall enter any flue unless the said pipe shall be at least twelve inches from either of the said floors, ceilings or partitions, unless the same is properly pro-

tected by a metal shield, in which case the distance shall not be less than six inches.

In all cases where stove pipes pass through stud or wooden partitions of any kind, they shall be guarded by either a double collar of metal with at least three inches of air space and holes for ventilation, or by a soap-stone or burnt-clay ring not less than four inches in thickness and extending through the partition. Where laundry stoves, hot water, steam, hot-air or other furnaces are used in any building, the smoke pipe leading therefrom must be kept not less than eighteen inches from the floor beams or ceiling unless the same is properly protected by a metal shield, when the distance shall not be less than nine inches. In all cases where such pipe passes through a wood or stud partition it shall be protected by a thimble with eight inches of brickwork around it, or a double collar of metal with at least six inches air space and holes for ventilation.

FURNACES.

SEC. 159. All brick hot-air furnaces shall have two covers, with an air space of at least four inches between them; the inner cover of the hot-air chamber shall be either a brick arch or two courses of brick laid on galvanized iron or tin supported by iron bars; the outside cover, which is the top of the furnace, shall be made of brick or metal supported by iron bars, and so constructed as to be perfectly tight, and shall not be less than four inches below the ceiling or floor beams. The walls of the furnace shall be built hollow in the following manner: one inner and one outer wall, each four inches in thickness, properly bonded together, with an air space of not less than three inches between them. Furnaces must be built at least four inches from all woodwork. All cold-air boxes shall be made of metal, brick or other incombustible material for a distance of at least three feet from the furnace. All portable hot-air furnaces shall be kept at least two feet from any wooden or combustible partition or ceiling unless the partitions and ceilings are properly protected by a metal shield, when the distance shall not be less than one foot. Wooden floors under any portable furnace shall be protected by a suitable stone or a course of bricks well laid in mortar. Said stone or bricks shall extend at least two feet beyond the furnace in front of the ash-pan.

REGISTER BOXES.

SEC. 160. All register boxes shall be made of tin plate, with a flange on top to fit the groove in the frame, the register to rest upon the same; there shall be an open space of two inches on all sides of the register box, extending from the under side of the border to and through the ceiling below. The said opening shall be fitted with a tight tin casing, the upper end of which shall be turned under the frame. When a register box is placed in the floor over a portable furnace, the open space on all sides of the register box shall not be less than three inches. When only one register is connected with a furnace said register shall have no valve.

STEAM PIPES.

SEC. 161. No steam pipe shall be placed within two inches of any timber or woodwork unless the timber or woodwork is protected by a metal shield, then the distance shall not be less than one inch. All steam pipes passing through floors and ceilings, or lath and plastered partitions, shall be protected by a metal tube one inch larger in diameter than the pipe, and the space shall be filled in with mineral wool, asbestos or other incombustible material.

HOT AIR PIPES.

SEC. 162. Hot-air pipes in stud partitions, and horizontal pipes in floors, shall be built in the following manner: the pipes shall be double, that is, two pipes, one inside the other, at least one-half inch apart, and there shall be a space of at least three inches between the pipe and stud or any other timber on each side; or if a single pipe is used, the inside face of said studs shall be well lined with tin plate and the outside faces covered with brick, iron lath, or slate, and there shall be at least one-half inch air space all around the said heating pipe. Horizontal hot-air pipes shall be kept six inches below the floor beams or ceiling; if the floor beams or ceiling are plastered and protected by a metal shield, then the distance shall not be less than three inches. In cases where hot-air pipes pass through a wood or stud partition they shall be guarded by either a double collar of metal, with two inches air space and holes for ventilation, or they shall be surrounded by brickwork at least four inches in thickness. Where the air con-

veyed through pipes is heated in an ordinary hot-air furnace, or in any other apparatus by direct contact of the air with the fire box, the material used for these double pipes and register boxes shall be bright tin. Where the air is heated by hot water or steam pipes or indirect heating stacks, any other sheet metal may be used for the pipes, and the use of double pipes is not obligatory.

All hot-air flues and shafts in brick or stone walls shall have the walls of the flues or shafts at least eight inches thick, unless lined with tin, galvanized sheet iron or terra cotta or fire-clay flue linings, in which case four inches of brickwork may be omitted. No wooden casing, furring or lath shall be placed against or cover any smoke flue or metal pipe used to convey hot air or steam.

GAS AND WATER PIPES.

SEC. 163. No gas, water or other pipes which may be introduced into any building shall be let into the beams unless the same be placed within thirty-six inches of the end of the beams; and in no building shall the said pipes be let into the beams more than two inches in depth. Every building other than a dwelling house, hereafter erected, and all factories, hotels, churches, theatres, schoolhouses and other buildings of a public character now erected in which gas or steam is used for lighting or heating, shall have the supply pipes leading from the street mains provided each with a stop-cock placed in the sidewalk at or near the curb, and so arranged as to allow of shutting off at that point. All gas brackets shall be placed at least three feet below any ceiling or woodwork, unless the same is properly protected by a shield, in which case the distance shall not be less than eighteen inches. No swinging or folding gas brackets shall be placed against any stud partition or woodwork. Gas lights placed near window curtains or any other combustible material shall be protected by a proper shield.

ELECTRIC WIRES.

SEC. 164. Every electric wire for furnishing light, heat or power, leading into any building from the outside thereof and all such wires placed inside of any building, shall be installed and maintained in full accordance with the rules and regulations of the national board of fire underwriters.

FIREPROOF SHUTTERS.

SEC. 165. All stores or storerooms, steel or skeleton construction buildings, or other buildings, except churches and private residences, now or hereafter erected, in close proximity to other structures, shall, when ordered by the inspector of buildings, be provided at all openings on the side or sides and front or rear or both, when within thirty feet of a combustible structure, with iron or other fireproof shutters or fireproof glass (wire-glass) and fireproof sash and frames of a kind recommended by the national board of fire underwriters. All such shutters must be hung on iron frames or iron eyes built in the walls.

All occupants of buildings shall close the said shutters and also all fireproof doors or shutters fitted into interior walls to prevent the spread of fire between different buildings or between parts of any building at the close of the business of each day.

WALLS OF ELEVATOR SHAFT.

SEC. 166. All elevators hereafter placed in any building, except fireproof buildings, shall be inclosed in suitable walls of brick, or with a suitable frame-work of iron and burnt-clay filling, or of such other fireproof material and form of construction as may be approved by the inspector of buildings. If the inclosure walls are of brick, laid in cement mortar, and not used as bearing walls, they may be eight inches in thickness for not more than fifty feet of their uppermost height, and increasing in thickness four inches for each lower fifty feet, portion or part thereof. Said walls or construction shall extend through and at least three feet above the roof. All openings in the same shall be provided with fireproof doors and made solid for three feet above the floor level, and with grill openings above. Elevators may also be placed in any stair well or open court of any building erected prior to the passage of this act, under a permit therefor from the inspector of buildings, but the frame-work and inclosure of any such elevator shall be constructed of fireproof materials. The foregoing requirements as to brick or fireproof shafts shall include all dumb-waiters except such as do not extend through more than three stories in dwelling houses. The roofs over all inclosed elevators shall be made of fireproof materials, with a skylight at least three-fourths the area of the shaft, made of this sheet glass, set in iron

frames, as hereinbefore in this section described, including wire netting underneath the glass of the skylight or the use of wire glass.

INSPECTOR OF PASSENGER ELEVATORS.

SEC. 167. The inspector of buildings shall cause an inspection of passenger elevators as often as once every six months. Any repairs found necessary upon inspection of any elevator shall be made without delay by the owner or person having the care or control of the same, and in case defects are found to exist which would endanger life by the continued use of such elevator, then, upon notice from the inspector of buildings, the use of such elevator shall cease, and it shall not again be used until a certificate shall be first obtained from said inspector that such elevator has been put in safe order and is fit for use.

ELEVATOR ATTENDANT.

SEC. 168. No person shall employ or permit any person to be in charge of running any passenger elevator who is under eighteen years of age or who does not possess proper qualifications therefor. Every freight elevator or lift shall have a notice posted conspicuously thereon as follows: "Persons riding on this elevator do so at their own risk." Every elevator in any building erected to be occupied, or now occupied, as a hotel, shall be inclosed in suitable walls constructed and arranged as in this chapter required for elevators hereafter placed in buildings, unless under the provisions of this section such elevator might have been placed in said building without such inclosing walls.

SAFETY DEVICES FOR ELEVATOR CARS.

SEC. 169. All elevators, either passenger or freight, shall be provided with the most approved form of controlling device, and all elevators operated by electricity must be so constructed as to insure the motor against damage by any overload or excess of current or power; the said device to be automatic in its operation and independent of the operator in charge of the car.

All elevators, cabs, or cars, whether used for freight or passengers, shall be provided with some suitable mechanical device, to be approved by the inspector of buildings, whereby the cab or cars

will be securely held in the event of accidents to the ropes or hoisting apparatus, or from any similar cause.

Every passenger and freight elevator now in use or hereafter erected shall have what is known as a safety air cushion built of masonry, steel or other fireproof material, or such other device or devices for the safety of passengers as may be deemed advisable and expedient, to be determined by the inspector of buildings.

Immediately under the machinery at the top of every elevator shaft in any building in said city there shall be provided and placed a substantial grating or screen of iron, of such construction as shall be approved by the inspector of buildings.

FREIGHT ELEVATORS.

SEC. 170. In any building in which there shall be any hoistway or freight elevator or well-hole not enclosed in walls constructed of brick or other fireproof material, and provided with fireproof doors, the openings thereof through and upon each floor of said building shall be provided with and protected by a substantial guard or gate, and with such good and sufficient trap-doors, with which to close the same, as may be directed and approved by the inspector of buildings; and when, in his opinion, automatic trap-doors are required to the floor openings of any uninclosed freight elevator, the same shall be so constructed as to form a substantial floor surface when closed, and so arranged as to open and close by the action of the elevator in its passage either ascending or descending. The said inspector shall have exclusive power and authority within said city to require the openings of hoistways or hoistway shafts, elevators and well-holes in buildings to be inclosed or secured by trap-doors, guards or gates and railings. Such guards or gates shall be kept closed at all times, except when in actual use, and the trap-doors shall be closed at the close of the business of each day by the occupant or occupants of the building having the use or control of the same.

BULKHEADS.

SEC. 171. Bulkheads used as inclosures for elevator and coverings for the machinery of elevators, and all other bulkheads, including the bulkheads of all dwelling houses hereafter erected or altered, may be constructed of hollow fireproof blocks or of wood

covered with fireproof material, or filled in the thickness of the studding with such material, and covered on the outside with metal, including sides and edges of doors. Covers on top of water tanks placed on roofs may be of wood, covered with tin.

CORNICES.

SEC. 172. All exterior cornices and gutters of all buildings hereafter erected, except wooden buildings, shall be of fireproof material. All fireproof cornices shall be well secured to the walls with iron anchors, independent of any woodwork. Where a wall is finished with a cornice of stone, terra cotta or similar material, the greatest weight of the material of such cornice shall be on the inside of the face of the wall unless supported by iron construction, so that the cornice shall firmly balance upon the wall. In all cases the walls behind metal cornices shall be carried up to the planking of the roof, and where the cornice projects above the roof, the walls shall be carried up above the planking of the cornice and be coped. All exterior wooden cornices that may now be or that may hereafter become unsafe or rotten shall be taken down, and if replaced shall be constructed of fireproof material. All exterior cornices of wood or gutters that may hereafter be damaged by fire to the extent of one-third shall be taken down, and if replaced shall be constructed of fireproof material; but if not damaged to the extent of one-third, the same may be repaired with the same kind of material of which they were originally constructed.

SNOW GUARD.

SEC. 173. Every building near any street or sidewalk in said city, shall be furnished with a balustrade or other contrivance, sufficient to prevent any slide of snow or ice falling from the roof thereof upon such street or sidewalk.

ROOF OF WOODEN BUILDING.

SEC. 174. No wooden building within the fire limits more than two stories or over twenty feet in height above the curb level to the highest part thereof, which shall require roofing, shall be roofed with any other roofing or covering, except as provided in this chapter. Nothing in this section shall be construed to prohibit the repairing of any shingle roof, provided the building is not altered

in height. All buildings shall have scuttles or bulkheads, covered with fireproof material, with ladders or stairs leading thereto. No scuttle shall be less in size than two by three feet. All skylights having a superficial area of more than twelve square feet, placed in any building, shall have the sashes and frames thereof constructed of iron and glass. Every fireproof roof hereafter placed on any building shall have, beside the usual scuttle or bulkhead, a skylight or skylights of a superficial area equal to not less than one-fiftieth the superficial area of such fireproof roof. All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such a manner as shall protect the walls and foundations of said buildings from injury. In no case shall the water from the said leaders be allowed to flow upon the sidewalk, but the same shall be conducted by pipe or pipes to the sewer. If there be no sewer in the street upon which such buildings front, then the water shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter.

ROOF OF BUILDINGS NOT WOODEN.

SEC. 175. The planking and sheathing of the roof of every building hereafter erected, except a wooden building, shall in no case be extended across the front, rear, side, end or party wall thereof. Every such building and the tops and sides of every dormer-window thereon shall be covered and roofed with slate, tin, copper, iron, gravel or such other quality of fireproof roofing as the inspector of buildings, under his certificate, may authorize.

MANSARD ROOF.

SEC. 176. If a mansard or any other roof having a pitch of over sixty degrees be placed on any building, except a wooden building, or a dwelling house not exceeding thirty-five feet in height, it shall be constructed of iron rafters and lathed with iron on the inside and plastered, or filled in with fireproof material not less than three inches thick, and covered with metal, slate or tile.

CHANGING ROOF.

SEC. 177. It shall not be lawful for the owner or owners of any brick dwelling house with eight-inch walls, or of any wooden building already erected that has a peaked roof, to raise the same for

the purpose of making a flat roof thereon, unless the same be raised with the same kind of material as the building, and unless such new roof be covered with some of the articles mentioned in this chapter, and provided that such building, when so raised, shall not exceed forty feet in height to the highest part thereof. All such buildings must exceed twenty-five feet in height to the peak of the roof before the said alteration and raising. If any such building shall have been built before the street upon which it is located is graded, or if the grade is altered such building may be raised or lowered to meet the requirements of such grade.

MEASUREMENTS FROM CURB LEVEL.

SEC. 178. The height of all walls except as provided for in section seventy-six shall be measured from the curb level at the center of the building to the top of the highest point of the roof beams in the case of flat roofs, and for high-pitched roofs the average of the height of the gable be taken as the highest point of the wall. In case the wall is carried on iron girders, or iron girders and columns, or piers of masonry, the measurement, as to height, may be taken from the top of such girder. When the walls of a structure do not adjoin the street, then the average level for the ground adjoining the walls may be taken instead of the street curb level for the height of such structure. The width of buildings, for the purpose of this title, shall be determined by the way the beams are placed. The lengthwise of the beams may be considered and taken to be the widthwise of the building, and the bearing wall are those walls on which the beams or trusses rest.

BUILDINGS WITHIN FIRE DISTRICT.

SEC. 179. Within the Fire District, as they now are or may hereafter be established by the board of aldermen of said city, no frame or wooden building shall hereafter be built, except as in this chapter authorized.

“Provided, however, that the inspector of buildings may at his discretion, issue a permit to any person to build any wooden addition to any private house, upon application of the owner of said building within said fire district upon such terms and conditions as the building inspector may deem advisable when, in his opinion, after

a full hearing has been held, there seems to exist sufficient reason why such a permit should not be granted."

RIGHT TO REBUILD DAMAGED BUILDINGS.

SEC. 180. Every wooden or frame building with a brick or other front within the fire limits which may hereafter be damaged to an amount not greater than one-half of the value thereof, exclusive of the value of the foundation at the time of such damage, may be repaired or rebuilt. But if such damage shall amount to more than one-half of the value of such building it shall be taken down. If the inspector of buildings shall determine that such damage is greater than one-half the value of such building and the owner thereof wishes to rebuild, he may appeal to the board of arbitration which shall be composed of one engineer and one architect who shall be appointed by the inspector of buildings, and one builder appointed by the owner of the building, and a decision of the majority of them, reduced to writing and sworn to, shall be conclusive on all parties.

VARIOUS STRUCTURES WITHIN THE FIRE LIMITS.

SEC. 181. The following wooden and temporary structures shall be allowed within the fire limits:

Temporary one-story frame buildings may be erected for the use of builders, with the limits of lots whereon buildings are in the course of erection, or on adjoining vacant lots, upon permits issued by the inspector of buildings. Fences of wood shall not be erected over eight feet high. Signs of wood shall not be erected over two feet high on any building. Sheds of wood not over fifteen feet high, open on at least one side, with the sides and roof thereof covered with fireproof material, may also be built, but no fence shall be used as the back or side of any such shed, *provided*, that sheds for the protection of lumber may be erected to greater height under such conditions as may be designed by the inspector of buildings.

Exterior privies and wood or coal houses, not exceeding one hundred and fifty square feet in superficial area and eight feet high, may be built of wood, but the roofs thereof must be covered with metal, gravel or slate. Sheds erected on piers, wharves or bulkheads on a water front, not exceeding twenty-five feet in height, shall be covered on the outside with slate, tile, metal or other in-

combustible material. Coal elevators or pockets for the storage of coal, and trestle work in connection therewith, shall be in mode of construction and location as may be approved by the inspector of buildings. Grain elevators may be constructed of wood, but all the external woodwork shall be covered with incombustible material, and when such buildings exceed sixty feet in height, the two lower stories shall be of brick. Lumber or other wood, or second-hand combustible material shall not be piled at any lesser distance from the nearest dwelling house than double the height of such pile.

Any bay or oriel window that does not extend more than three feet above the second story ceiling line of any dwelling house may be built of wood.

USE OF WOODEN BEAMS.

SEC. 182. All wooden beams or other timbers in the party wall of every building built of stone, brick or iron, shall be separated from the beam or timber entering in the opposite side of the wall by at least four inches of solid mason work. No wooden floor beams nor wooden roof beams used in any building, exceeding three stories in height, hereafter erected, shall be of less thickness than three inches. All wooden trimmer and header beams shall not be less than one inch thicker than the floor or roof beams on the same tier, where the header is four feet or less in length; and where the header is more than four feet and not more than fifteen feet in length, the trimmer and header beams shall be at least double the thickness of the floor or roof beams, or shall each be made of two beams forming such thickness properly spiked or bolted together, and when the header is more than fifteen feet in length wrought-iron flitch plates of proper thickness and depth shall be placed between two wooden beams suitably bolted together to and through the iron plates in constructing the trimmer and header beams: or wrought-iron or rolled steel beams of sufficient strength may be used. Every wooden beam, except header and tail beams, shall rest at one end four inches in the wall, or upon a girder as authorized by this title. All wooden floor and wooden roof beams shall be properly bridged with cross-bridging and the distance between bridging or between bridging and walls shall not exceed eight feet. Every wooden header or trimmer more than four feet long, used in any building, shall be hung in stirrup-irons of suitable thickness for the size of the timbers or joist hangers approved by the inspector

of buildings. No timber shall be used in any wall of any building where stone, brick or iron is commonly used, except lintels, as hereinbefore provided. The ends of all wooden floor and roof beams, where they rest on brick walls, shall be cut to a level of three inches on their depth, so that in case of fire they may fall without injury to walls. All wooden beams shall be trimmed away from the flues, whether the same be a smoke, air, or any other flue, the trimmer beam to be eight inches from the inside face of the flue in a straight way and four inches from the outside of a chimney breast, and the header two inches from the outside face of the flue.

Each tier of beams shall be anchored to the side, front, rear or party walls at intervals of not more than six feet apart, with good, strong wrought-iron anchors of not less than one and a half inches by three-eighths of an inch in size, well fastened to the side of the beams by two or more nails made of wrought-iron at least one-fourth of an inch in diameter. The ends of beam resting upon girders shall be butted together, end to end, and strapped by wrought-iron straps of the same size and distance apart, and in the same beams as the wall anchors, and shall be fastened in the same manner as said wall anchors, or they may lap each other at least twelve inches and be well spiked or bolted together where lapped. Where the beams are supported by girders, the girders shall be anchored to the walls and fastened to each other by suitable iron straps. Every pier and wall, front or rear, shall be well anchored to the beams of each story, with the same size anchors as are required for side walls, which anchor shall hook over the second beams. Each tier of beams, front and rear, opposite each pier, shall have hard wood or Georgia pine anchor strips dovetailed into the beams diagonally, which strips shall cover at least four beams, and be one inch thick and four inches wide, but no such anchor strips shall be let in within four feet of the center line of the beams; or wooden strips shall be nailed on the top of the beams and kept in place until the floors are being laid. Wooden columns supporting wooden girders and wooden floor beams and wooden roof beams, in all buildings more than two stories in height, shall each have cap and base plates of iron not less than one inch thick, and of proper size and shape. Said wooden columns, when placed one over another, shall not bear upon any wooden girder, but shall bear directly upon each other, or shall have between the iron plates

suitable iron dowels passing through the girders. All timbers and wood beams used in any building shall be of good, sound material, free from rot, large and loose knots, shakes, or any imperfection whereby the strength may be impaired, and be of such size and dimensions as the purposes for which the building is intended require.

WOODEN BUILDINGS OUTSIDE FIRE DISTRICT.

SEC. 183. Outside of the fire district before prescribed herein, buildings of frame or wood may be erected, but no frame building, to be occupied or used as a stable, workshop or manufactory, shall be built more than two stories or twenty-five feet in height, nor shall any wooden tower or spire be built or rebuilt to a greater height than sixty feet. No frame or wooden dwelling house hereafter erected shall exceed three stories or thirty-five feet in height.

GENERAL RESTRICTIONS FOR WOODEN BUILDINGS.

SEC. 184. When two or more houses, mentioned in the preceding section, are built contiguous, the party or division studding shall be not less than four inches thick and filled in solidly with brickwork, or the division walls may be of brick not less than eight inches thick above the foundation wall; and the ends of the floor beams shall be so separated that four inches of brick will be between the beams where they rest on said walls. All frame or wooden buildings exceeding a height of fifteen feet shall be built with sills, posts, studs, plates and rafters, all of suitable size and properly framed and braced, and with suitable studs set at proper distances apart. The floor beams shall not be less than two inches in thickness. The covering of roofs may be of shingle. All cellar or basement walls of frame or wooden buildings shall be not less than eight inches thick if of brick, or of a greater thickness if of stone. When any said wall is eight feet or more above the surface of the ground, then the wall shall be not less than twelve inches thick if of brick, or not less than sixteen inches thick, if of stone. Frame buildings sheathed with boards and partially or entirely covered with four inches of brickwork shall be deemed to be frame buildings.

FIRE-ESCAPES.

SEC. 185. Every dwelling house occupied by or built to be occupied by three or more families above the first story, and every building already erected, or that may hereafter be erected, more

than three stories in height, occupied and used as a hotel or lodging house, and every boarding house having more than fifteen sleeping rooms above the ground floor, and every factory, mill, manufactory or workshop, hospital, asylum or institution for the care or treatment of individuals, and every building in whole or in part occupied or used as a school or place of instruction, or assembly, and every office building four stories or more in height, shall be provided with such good and sufficient fire-escapes and stairways as shall be directed by the inspector of buildings. The inspector of buildings shall make rules and regulations for the construction of outside fire-escape balconies and ladders. The inspector of buildings shall have full and exclusive power and authority within said city to direct fire-escapes and other means of egress to be provided upon and within said building or any of them. The owner or owners of any building upon which a fire-escape is erected shall keep the same in good repair and properly painted.

OBSTRUCTING FIRE-ESCAPES.

SEC. 186. In constructing all balcony fire-escapes, the manufacturer thereof shall securely fasten thereto, in a conspicuous place, a cast-iron plate having suitable raised letters on the same, to read as follows: "Notice! Any person placing any incumbrance on this balcony is liable to a penalty of ten dollars."

No person shall at any time place an incumbrance of any kind whatsoever before or upon any fire-escape.

It shall be the duty of every fireman and policeman who shall discover any fire-escape balcony or ladder of any fire-escape incumbered in any way to forthwith report the same to the inspector of buildings, who shall immediately notify the occupant of the apartment or premises to which such fire-escape is attached, either verbally or in writing, to remove such incumbrance and to keep the fire-escape free from further incumbrance. If such notice shall not be complied with said inspector shall notify the city attorney, and said occupant, on conviction, shall be fined not more than ten dollars for each offense.

ROPE FOR FIRE-ESCAPE.

SEC. 187. The owner, proprietor or manager of every hotel and lodging house, and of every boarding house having more than fifteen sleeping rooms above the ground floor, and the person or per-

sons having charge or management of every public or private hospital or asylum building, shall place or cause to be placed in every room used as a lodging or sleeping room in such building, except the rooms on the ground floor, and also excepting rooms one or more windows of which open upon a fire-escape having direct access to the ground, a manilla rope, or other better appliance to be approved by said chief of fire department, to be used as an auxiliary means of escape. Said rope or other appliance shall be securely fastened on one end to a suitable iron hook or eye, to be securely driven into or fastened to the wall or stud next adjoining the frame of the window, or one of the windows, of such room, and at all times to be coiled up and exposed to the view of the occupant of the room, the coil to be fastened in such slight manner as to be easily and quickly loosened. Said rope shall not be less than one inch in diameter and shall be of sufficient length to reach the ground, and the rope and fastenings shall be of sufficient strength to sustain a weight of not less than one thousand pounds.

CHIEF TO INSPECT BUILDINGS.

SEC. 188. The chief of the fire department shall cause any building to which the requirement of rope-escapes applies to be periodically inspected to ascertain whether the provisions of the preceding section as to ropes have been complied with, and to report any omission or neglect thereof to the city attorney. The provisions of the preceding section in regard to auxiliary rope fire-escapes shall not apply to fireproof buildings. All buildings requiring fire-escapes shall have stationary iron ladders leading to the scuttle opening in the roof thereof, and all scuttles and ladders shall be kept so as to be ready for use at all times. If a bulkhead is used in place of a scuttle, it shall have stairs with sufficient guard or hand-rail leading to the roof. In case the building shall be a tenement house, the door in the bulkhead or any scuttle shall at no time be locked, but may be fastened on the inside by moveable bolts or hooks. Every dwelling house arranged for or occupied by two or more families above the first story, shall be provided with an entrance to the basement thereof from the outside of such building.

REAR TENEMENTS FORBIDDEN.

SEC. 189. No building to be used for resident purposes shall be altered from other purposes or built in the rear of a building

occupying the front of the same lot or plot of ground, nor shall any building now existing or used or to be used for resident purposes be moved so that it shall stand in the rear of the building occupying the front of the same lot or plot of ground, and no building whatsoever shall be erected or placed in front of the building occupying the rear of the same lot or plot of ground, except a special permit be obtained from the board of fire commissioners and the board of health.

ABATEMENT OF REAR TENEMENTS.

SEC. 190. Any building erected, altered or moved in violation of these ordinances shall be deemed and held a common nuisance, and the building inspector, with the advice of the mayor, having given reasonable notice under his hand to the owner of such building to remove or destroy the same, shall, in case said order is not complied with, abate such nuisance at the expense of the city, and the expense so incurred shall from the time when such work is begun, be and continue a lien and real encumbrance in favor of said city upon the land of the owner upon which said building stood. Such amount may also be recovered in a civil action in the name of the city.

LIGHT AND VENTILATION.

SEC. 191. All buildings to be used for residential purposes shall be so erected and located as to provide for a preservation at least ten percentum of the area of the lot upon which they are erected free from all construction from ground to sky, unless said lot has two sides bordering upon public streets.

DANGEROUS BUILDINGS.

SEC. 192. Whenever, in the opinion of the inspector, any building, wall or part of any building, on account of any cause or defect, is dangerous, or when any building shall be deemed unsafe for the purpose for which it was used, or shall be in danger of being set on fire from any defect in its construction, or when doors or stairways in any public hall, theatre or factory, are insufficient for the escape of people in case of fire, panic or accident, the inspector shall notify the owner or his agent, in writing, specifying wherein such danger consists, or wherein such building is unsafe or defective. If the owner or agent neglects to proceed to put such building in a

safe condition or forthwith to pull down or secure such building, wall or dangerous parts or remedy the defect, he shall be deemed guilty of a misdemeanor.

BUILDINGS ENDANGERING LIFE.

SEC. 193. In case the decision of the inspector upon the safety of any building, or any part thereof, is made in a case which is so urgent that the failure to promptly carry out his order to demolish or strengthen such building, or part thereof, may endanger life and limb, the decision and order of the inspector shall be absolute and final, and no appeal therefrom to an arbitration shall be permitted.

DUTY OF INSPECTOR IF BUILDING IS DANGEROUS.

SEC. 194. Whenever, upon evidence, the inspector of buildings and the chief of the fire department shall determine that there is actual and immediate danger of the falling of any building or part thereof, so as to endanger life, such building, or part thereof shall thereupon be deemed a nuisance, and the inspector shall cause such work to be done as may be necessary to render said building or part thereof, safe, or may cause said building, or such part thereof, as may be unsafe, to be torn down and removed.

OBSTRUCTION OF STREET AND SIDEWALK.

SEC. 195. Any person duly licensed or permitted to occupy any part of any street within the city limits while erecting or repairing any building, and any person making any excavation in any sidewalk or who shall remove the pavement or material of which the sidewalk is composed, for any purpose, shall provide safe and convenient passage around or over that part of the sidewalk or street removed or excavated by them or occupied by them while so erecting or repairing any building, for public travel, by erecting and maintaining a plank walk not less than three feet in width, over or around so much of the sidewalk as they may have removed or excavated, or they may occupy while erecting or repairing any building, unless the street in front thereof is paved with brick or asphalt, in which case a walk shall be kept clean around said sidewalk.

Said person shall at all times keep that part of the sidewalk occupied by them and the excavation made by them, properly lighted

in accordance with these ordinances, and shall at all times keep the street gutters free and clear from anything which will prevent or retard the flow of water therein. The opening left in the gutters for water shall not be less than twelve inches in width, and if covered, the interior space shall not be less than eight inches in height.

STREET AND SIDEWALK TO BE USED ONLY DURING CONSTRUCTION.

SEC. 196. The permission to occupy streets and sidewalks for purposes of building is intended only for use in connection with the actual erection, repair or alteration of buildings, and must terminate with the completion of such operation. It shall be unlawful to occupy any sidewalk or street after the completion of the operation for which such permit has been issued by the inspector of buildings. It shall also be unlawful to occupy a street or sidewalk under authority of such permit, for the storage of articles not intended for immediate use in connection with the operations for which such permit has been issued.

PRIVILEGE OF USING SIDEWALK BEYOND BUILDING.

SEC. 197. If the written consent, and a waiver of claims for damages against the city, of the owners of properties abutting upon the site of any proposed building is obtained, and filed with the inspector of buildings, the permission to occupy the roadway and the sidewalk may be extended beyond the limits of such buildings upon the same terms and conditions as those herein fixed for the occupation of the sidewalk and street in front of the building itself.

TO RELAY SIDEWALKS.

SEC. 198. If any person shall remove any portion of the sidewalk before any premises for any of the purposes hereinbefore mentioned, the owner of said premises shall, upon the order of the director of public works and within thirty days of the time when notice of such order shall have been served upon them, relay said walk with such material as the said director shall decide upon and specify in said order.

VIOLATION OF ORDINANCE REGARDING SIDEWALKS.

SEC. 199. The director of public works, whenever he discovers any violation of any of the provisions of this ordinance, relating to sidewalks and gutters, shall immediately leave with the owner

of the building, or his agent, notices of such violation, and an order that the requirement violated shall be immediately complied with. If, after three hours, the order of the director of public works has not been complied with, it shall be his duty to execute the same, and the expense thereof shall be a lien or real incumbrance in favor of said city upon said land and buildings, or both. And it shall be the duty of the director of public works to record his certificate of lien for such expense, to be recorded within sixty days thereafter, unless the same shall have previously been paid.

PERMIT TO LAST FOR SIX MONTHS.

SEC. 200. Every permit for the erection, alteration, or repair of a building, shall be considered canceled if active work is not commenced within the period of six months from the date of its issue.

REVOCATION OF PERMIT.

SEC. 201. Every permit shall be subject to revocation should the inspector become convinced that the work done under said permit is proceeding in violation of law or of these ordinances, or done in a reckless or careless manner. Revocation of a permit shall be in writing and shall be served on the owner or his agent, or in their absence on any one doing any of the work; and from and after such revocation of permit all parties doing any work in or about said structure, building or premises shall be deemed guilty of a misdemeanor within the terms of this ordinance.

PERMIT TO MOVE BUILDINGS.

SEC. 202. Permits to move buildings shall be granted when a building has not been damaged to an extent greater than fifty per cent. of its original value by wear and tear, the action of the elements, fire or otherwise.

Any person desiring to remove a building shall first obtain the written consent to such removal from the building inspector and the director of public works. No wooden building shall be moved from one lot to another until a sworn petition setting forth the purposes of said removal, and the uses to which said building is to be applied, is filed in the office of the inspector of buildings, and the written consent of said inspector is first obtained therefor. No wooden building shall be moved from without to within the fire limits.

SERVICE OF NOTICE.

SEC. 203. In all cases where, by the provisions of this ordinance, notice is required to be given, such notice shall be served by posting a written or printed copy thereof on the premises concerned, and either leaving a duplicate copy thereof at the usual place of abode of the party interested, if within the city, or by mailing such duplicate in a registered letter to the last known address of said party, if residing without the city, or publishing the said notice for three successive days in the newspapers employed to do the city printing. Any notice served upon the architect or other duly authorized agent in charge of any building or estate, shall be binding upon the owner thereof.

No wall, structure, building, or part thereof, shall hereafter be built or constructed within said city, except in conformity with the provisions of this title. No building already erected or hereafter to be built, in said city, shall be raised, altered or built upon, in any manner that would be in violation of any of the provisions of this title.

PENALTIES.

SEC. 204. Any person, firm or corporation, violating any of the provisions of this chapter shall forfeit and pay a penalty of not less than twenty-five nor more than one hundred dollars for every such violation, except such fines as are otherwise herein provided for, and shall further suffer and pay a penalty of not less than ten nor more than one hundred dollars for each and every day such person, firm or corporation shall continue such violation after written notice from the inspector of buildings.

BUILDING LINES.

SEC. 205. Whenever new streets are laid out or the lines of existing streets are changed, building lines for said streets shall be established or designated by the board of aldermen, and until such line is so established it shall not be lawful for any person to erect or to place, cause to be erected or to be placed any building or structure on such street, and after the establishment of such line it shall be unlawful for any person to erect or to place, cause to be erected or to place any building or structure nearer such street than the line so established.

Any person offending against any of the provisions of this section shall forfeit and pay a penalty of not less than twenty-five, nor more than one hundred dollars for every such offense; and a like penalty for every week that such building or other structure, shall remain in violation of any of the provisions of this section.

NUMBERING BUILDINGS.

SEC. 206. The board of aldermen shall have power to cause numbers of regular series, to be affixed to, or inscribed on all buildings, or parts of buildings, erected or fronting on any street, alley, or public court in said city, at their discretion; and shall also have power to determine the form, size, and material of such numbers, and the mode, place, succession and order of inscribing and affixing them on the respective houses or other buildings.

SEC. 207. Any owner or occupant of any building or part of a building, who shall neglect or refuse for sixty days to affix to the same the number designated by the board of aldermen, or who shall affix to the same, or retain thereon more than one day, any number contrary to the direction of said board, shall forfeit and pay a penalty of not less than one, nor more than twenty dollars for every such offense, and a like penalty for every day thereafter until the directions of said board are complied with.

MISCELLANEOUS PROVISIONS.

SEC. 208. No person shall injure or deface any public or private building, fence, sign, or property in said city, by cutting, breaking, marking, daubing with paint, or in any other manner.

Any person offending against any of the provisions of this section shall forfeit and pay a penalty of not more than fifty dollars for every such offense.

CHAPTER VII.

BURIAL GROUNDS.

Sec.		Sec.	
209.	Rubbish in burial grounds, penalty for.	213.	Rules, how made and approved.
210.	Defacing grounds, monuments, penalty for.	214.	Chart of grounds.
211.	Driving of animals in, speed limit.	215.	Assessments not to be levied against, capitalized corporations excepted.
212.	Noise and language in grounds.		

SEC. 209. Every person who shall deposit or cause to be deposited any dirt, grass, brush, stones, iron, building materials, or rubbish of any kind, upon any private lot in any burial ground in said city, unless by permission of the owner of such lot, or upon any public lot or in or upon any of the alleys, paths, borders or other parts of said burial ground, not included in a private lot, without the permission of the committee or other persons having legal charge of the particular place of such deposit, shall forfeit and pay a penalty of not less than five, nor more than fifty dollars for each offense.

And every person having made such deposit or caused the same to be made, and having been notified by the owner or other person having legal charge of the particular place of such deposit, to remove the same, shall forfeit and pay an additional penalty of one dollar for each and every day he shall refuse or neglect to do so.

SEC. 210. Every person who shall climb upon or over the fence or wall of any public or private burial ground in said city, or upon or over the wall or fence enclosing any lot in such cemetery, or who shall climb or stand upon any of the monuments in such cemetery, except in cases of necessity, or who shall willfully and maliciously mark, deface, mutilate, destroy, remove or injure any wall, fence or gateway of any burial ground in said city, or of any lot or enclosure in such burial ground, or any turf, tree, shrub, plant, vault, tomb, tombstone, monument or ornament in such

burial ground, shall forfeit and pay a penalty of not less than five, nor more than one hundred dollars for every such offense.

SEC. 211. No person shall ride or drive any horse or other animal, at a gait faster than a walk, within the limits of any burial ground in said city, or any horse or other animal, alone or attached to any carriage or other vehicle, on the turf in any such burial ground, under penalty of five dollars for each offense.

SEC. 212. Every person guilty of uttering any profane, obscene, or threatening language, or of making any disturbing noise in any burial ground in said city, shall forfeit and pay a penalty of not more than fifty dollars for every such offense.

SEC. 213. The directors of any burial association of said city may make reasonable rules and regulations for the government of such ground, and for the conduct of individuals while visiting the same, which rules, being approved by a vote of the board of aldermen, shall be conspicuously posted at or near the entrance to such ground, and every person willfully violating any such rules shall forfeit and pay a penalty of not more than ten dollars for every such offense.

SEC. 214. The directors or committee of every burial ground shall keep, for public inspection, in some convenient place near the entrance thereof, a chart of such ground showing the ownership of the several lots, which chart shall be by them revised and corrected during the month of May, in each year, under a penalty of ten dollars for every such director or member of such committee neglecting the duties of this section.

SEC. 215. That, inasmuch as the burial grounds of the cemetery associations located in the city of New Haven are laid out and maintained for public and charitable purposes and not for profit, no assessments for special benefits from the improvement of any streets or sidewalks adjoining any of said burial grounds or the construction of any sewer in said streets, and no charges for such improvements, directed or executed by the city, shall be made or enforced against any of said corporations; *provided*, that this shall not apply to any corporation organized with capital stock for the purpose of realizing profit for its shareholders.

CHAPTER VIII.

CONTRACTS.

SEC.		SEC.	
216.	Bonds, deeds and contracts in behalf of the city.	218.	Mayor and controller to sign evidences of indebtedness.
217.	Executory contracts; how executed; regulations governing contracts made by a board, committee or officer.	219.	City printing and advertising; regulations governing the same.

SEC. 216. No bond, deed or other contract under seal, shall be issued in the name and behalf of said city, without an order or resolution therefor, previously passed in due form, by the board of aldermen.

All bonds of the city shall be countersigned by the city treasurer.

The mayor shall cause the city clerk to keep a record of all such instruments.

SEC. 217. No contract to be executed by the city, after one year from the date thereof, shall be binding on the city, unless expressly authorized by law, or by a vote of the board of aldermen.

The board, committee, or officer, making any contract in behalf of the city, shall keep a careful record of the same for the information of the city authorities, and shall cause all written contracts in favor of the city to be carefully preserved on file.

All contracts in favor of the city, and to run more than one year, shall be published once in the city year book.

SEC. 218. Whenever the board of finance shall authorize the borrowing of money for the use of the city in anticipation of any tax or assessment previously laid, the note or other obligation of the city evidencing such obligation, shall be signed by the mayor and controller. In all cases where the issuance of bonds is authorized by the general assembly and it is not otherwise provided in such act, such bonds shall be signed by the mayor and treasurer, and countersigned by the controller.

SEC. 219. Whenever the estimated expenses of any city printing shall in any case exceed the sum of one hundred dollars, such printing shall be done by contract, awarded to the lowest responsible bidder under the direction of the controller and city clerk. The rates for newspaper advertising shall be no greater than those paid by individuals.

Whenever any officer or department is required to advertise for bids, for any work to be done, or materials to be furnished for said city of New Haven, said officer or department shall also post in a conspicuous place, in the front corridor of the city hall, on a suitable bulletin board, to be provided by the director of public works, a notice calling for bids for such work to be done, or materials to be furnished, at least ten days before the time limited for the offering of such bids. No bids for work to be done or materials to be furnished shall be accepted or any contract awarded thereon, unless such notice as is provided for by this section, shall have been given.

CHAPTER IX.

ELECTIONS.

SEC.	SEC.
220. How warned.	223. Moderators' powers and duties.
221. How conducted, duty of moderator and city clerk.	224. Moderator's orders to be obeyed.
222. Minors not to loiter about polling places.	

SEC. 220. The mayor of said city shall issue an order under his hand for the election of city or ward officers on the third Tuesday of April in each year, and for any special election or vote to be taken in said city or any ward thereof, under authority of law, which order shall specify the purposes of such meeting, election or vote, and the several places of meeting or voting, after the same shall have been designated by the board of police commissioners, and said order, being recorded in the city records and a certified copy published in two or more daily newspapers in said city, at least five days before the time prescribed for such meeting, election or vote, shall be sufficient warning thereof.

SEC. 221. Such elections and votes shall be conducted in all respects, as provided in the statutes of this state.

Immediately after an election of city or ward officers it shall be the duty of the city clerk to procure a copy of the certified returns from the town clerk and record the same in the city records.

SEC. 222. No minor or other person not an elector, shall loiter about any voting place, during the taking of any vote, or about the place where the vote is being counted.

SEC. 223. The moderator of the poll at any city election or vote shall see that the official challengers shall have full and free opportunity to exercise their office, that every voter shall have convenient and unobstructed opportunity to vote, that a free passage to the ballot boxes shall be kept open, that the polls and voting booths shall be kept free from noise and disturbance, and he shall have authority forthwith to arrest without warrant any person disobeying his lawful orders for the aforesaid purpose or

guilty of violating any law or of attempting to violate any law with reference to such election, and cause him to be taken to the police station for prosecution; but if such person is entitled to vote, he shall have an opportunity to do so before removal.

SEC. 224. Every person who shall disobey the proper order of the moderator, for any of the aforesaid purposes, or who shall willfully and maliciously disturb the good order and quiet of any such election or vote, or injure, deface or interfere with any of the voting booths aforesaid, or violate any other provision of this ordinance, shall forfeit and pay a penalty of not less than one, nor more than one hundred dollars for every such offense.

CHAPTER X.

ENGINEERS.

SEC.		SEC.	
225.	Licenses required.	229.	Revocation of licenses.
226.	Mayor to appoint supervisors.	230.	Examination after six months.
227.	How applications for licenses are to be made.	231.	Appeals on revocations.
228.	License fee. Competent persons to be licensed. Renewals.	232.	Penalty provisions.
		233.	Exemptions.
		234.	Penalty for abandoning engine.

SEC. 225. No person shall be the engineer of, or shall have charge of or operate any steam boiler or steam engine, in the city of New Haven, for a period exceeding one week, who shall not have a license certificate authorizing him to have charge of, or operate, such engine or boiler, from the board of examiners hereinafter constituted.

SEC. 226. The mayor shall appoint a board of examiners, which shall consist of three members, one of whom at least shall be an engineer who has had ten years' experience in the operation of steam boilers, or steam engines, said appointment to be made by appointing one member annually on the first day of June in each year to serve for a period of three years, or until their successors are appointed, and shall grant the license hereinafter provided for, and serve without pay.

SEC. 227. Before any person shall be employed as an engineer of any such boiler or engine, or shall have charge of or operate any such boiler or engine, he shall make a written application to said board of examiners for the license hereinbefore mentioned, and shall specify in such application the particular engine, boiler, or plant which he desires to operate or have charge of, which application shall be accompanied by references as to his character and ability, and the filing of such references with said board shall be considered as a compliance with the provisions of this ordinance, for thirty days thereafter, or until his said application shall

have been passed upon by said board, and said applicant, after the filing of said references, shall have the right to operate and have charge of any such engine, boiler, or plant, until his application shall have been passed upon by said board.

SEC. 228. Every person who shall satisfy said board of examiners that he is a safe and competent person to operate and have charge of the steam plant, boiler or engine specified in his application shall, on payment of one (\$1.00) dollar, receive a license permitting him to operate the same. Said license shall apply only to the plant, boiler, or engine for which it is issued; and before taking charge of another plant, the licensee shall apply for another license for such other plant, for which other license, if the application be made within a year, no charge shall be made; after which period a fee of one (\$1.00) dollar shall be paid. For the renewals above mentioned, no additional hearing shall be required, unless in the judgment of said board it shall be necessary. Said license must be framed and hung in a conspicuous place in the plant, or upon or near the engine for which it is issued.

SEC. 229. Said board may at any time revoke any license issued, on account of inebriety, incompetency, or negligence of the holder of any license, or for any good cause, and no license shall be issued to any licensee whose license shall be revoked, during the next six months ensuing, after which time the license revoked may be renewed, if, in the judgment of the board, the cause of its revocation no longer exists.

SEC. 230. If said board shall refuse to grant to any applicant a license, no license shall be issued to him for the next six months following his application, but after said period said applicant may make another application, and if found qualified, may be granted a license.

SEC. 231. Whenever said board shall refuse to grant any applicant, or shall revoke any license, they shall give immediate notice of such refusal, or revocation, to the applicant or licensee, and such applicant or licensee may appeal from the decision of such board to the mayor, in which case said applicant or licensee shall file his appeal with the mayor within ten days after receiving notice of the decision of said board, and the mayor may confirm or reverse the decision of said board, and issue such license.

SEC. 232. Any person found guilty of any violation of the provisions of this ordinance, except section 234 thereof, shall be

fined not more than twenty-five (\$25.00) dollars, nor less than ten (\$10.00) dollars.

SEC. 233. This ordinance shall not apply to railway locomotives, nor engineers employed thereon, nor to steam vessels coming under the jurisdiction of the United States board of supervising inspectors, when employed upon the vessels to which said license applies. Nor shall it apply to automobiles, private residences or buildings for heating purposes, unless in the opinion of said board such boiler is so equipped and run as to endanger public safety unless operated by a licensed engineer.

SEC. 234. Any engineer in charge of any steam engine or boiler who shall abandon it while in operation, without leaving a person in charge of the same, who shall, in the opinion of the employer of said engineer, or of the owner of such engine, be competent to take charge of the same, shall be fined not more than ten (\$10.00) dollars.

CHAPTER XI.

FIRE.

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| <p>SEC.</p> <p>235. Meetings and duties of the fire commissioners.</p> <p>236. Property of the fire department.</p> <p>237. Powers of fire commissioners with regard to fire alarm telegraph.</p> <p>238. Power to name temporary chief.</p> <p>239. Powers and duties of the chief of the department.</p> <p>240. Chiefs' orders to be obeyed; penalty for interfering with firemen, etc., or refusing to obey orders.</p> <p>241. Center of street to be cleared in case of fire.</p> <p>242. Driving over hose forbidden.</p> <p>243. Badge or uniform of the department not to be worn by outsiders.</p> <p>244. Property of the department not to be abstracted, injured or defaced.</p> <p style="text-align: center;">FIRE MARSHAL.</p> <p>245. General duties and powers of the fire marshal.</p> <p>246. Orders of the fire marshal, how given and appealed from.</p> <p>247. Orders of the fire marshal, how enforced.</p> <p>248. Penalty for hindering or obstructing the fire marshal.</p> | <p>SEC.</p> <p>249. Fire marshal to keep a record book, make annual report to board of aldermen, and present complaints to the city attorney.</p> <p style="text-align: center;">FIRE ALARM TELEGRAPH.</p> <p>250. Penalty for interfering with or injuring fire alarm telegraph.</p> <p>251. No person to open an alarm box without authority.</p> <p>252. No person to have fire alarm key without permission.</p> <p style="text-align: center;">FIRE HYDRANTS.</p> <p>253. Fire commissioners to report need of hydrants.</p> <p>254. Duty of superintendent to keep hydrants in repair.</p> <p>255. Ropes, etc., not to be fastened to hydrants; penalty.</p> <p>256. Hydrants not to be encumbered; penalty.</p> <p style="text-align: center;">GENERAL PROVISIONS.</p> <p>257. Ashes not to be kept in wooden boxes, etc.</p> <p>258. Regulations concerning the keeping of hay, straw, etc.; provisions for safety of barns, stables, etc.; wooden spittoons prohibited.</p> <p>259. Penalty for careless use of matches and fireworks.</p> <p>260. Gas generators to be licensed.</p> <p>261. Bonfires prohibited.</p> <p>262. Piling lumber near dwelling houses prohibited.</p> <p>263. General penalties.</p> |
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FIRE DEPARTMENT.

SEC. 235. The board of fire commissioners shall meet statedly on the Tuesday preceding the first Thursday of every month.

Said board shall each month audit all bills, created in or for said department, and cause those approved by them to be duly certified and passed over to the city clerk, for the approval of the board of finance.

SEC. 236. There shall be, for the use of said fire department, such a number of steamers, hose-carriages, hook and ladder carriages and other apparatus, as the board of aldermen shall, from time to time, prescribe, with necessary and proper teams, hose, ladders, and such reasonable buildings for the accommodation of the same as said aldermen and board of fire commissioners shall deem proper.

SEC. 237. The board of fire commissioners shall have power to procure and place in position such number of fire alarm telegraph boxes and the appurtenances thereto, and also to purchase such tools and implements, not specified in the preceding section, as they may deem necessary.

SEC. 238. The board of fire commissioners shall cause to be designated, under their rules, what officer shall have the power and discharge the duties of chief in case of his absence or disability.

The chief shall keep a record of fires, fire alarms, the value and kinds of property destroyed, and the amount of insurance thereon.

He shall report to said board, once a month, upon the condition and efficiency of said department, and shall make an annual report of the condition and affairs of said department to said board.

SEC. 239. During the continuance of any fire, the chief shall have absolute control of the streets adjacent thereto; he may blockade any such street, and forbid passage therein; he may order those present to stand back to any required and reasonable distance; he may command the assistance of any police officer, special constable, or person present at the fire, in extinguishing the same or preventing its spread, or in saving or securing property.

He shall have power, with necessary assistance, to enter any building or premises, for the purpose of extinguishing or checking the progress of fire, or securing or protecting property, and he

may, with the advice of the mayor, direct the destruction of any building, to stay the further progress of the fire.

SEC. 240. Every person present at or near a fire who shall conduct himself in a disorderly manner, or neglect or refuse to obey promptly any proper order of the chief; or who shall resist, obstruct, hinder or abuse any officer of the fire department, or any fireman in the discharge of his duty, shall forfeit and pay a penalty of not less than ten, nor more than one hundred dollars for each offense, and any of the aforesaid officers may forthwith arrest without warrant, and take to a police station any person so offending.

SEC. 241. In case of any alarm of fire, it shall be the duty of the respective owners or drivers of animals and vehicles, in any street in which any steamer, hose carriage or hook and ladder carriage is approaching, to move such animal or vehicle to the right or left of the center of such street without delay, so as to give such fire apparatus free and unobstructed passage to the fire.

SEC. 242. No person shall drive any animal or vehicle over any hose laid by the fire department, without permission therefor first obtained from the chief or officer in charge.

SEC. 243. No person shall have or keep in his possession, except while a member of the fire department of said city, any fireman's badge, issued by or belonging to said city, or shall wear any uniform adopted for the department by said board.

SEC. 244. No person shall willfully and maliciously take away conceal, cut, deface or injure any of the property of the city, belonging to or used by said fire department.

FIRE MARSHAL.

SEC. 245. It shall be the duty of the fire marshal to examine, when necessary, all the fireplaces, chimneys, stoves, furnaces, heating or cooking apparatus, and the pipes connected therewith, of all buildings and rooms in said city, and all places for depositing ashes in said city; to inspect all new buildings or additions before the same are completed, in which there is any chimney or in which any of said apparatus is to be used; to inspect, at least once every three months, all places in which gunpowder, fireworks, burning fluid, or illuminating or inflammable oil is or are kept, used or sold, under a city license; to inspect and test, from time to time, all

kerosene oil, and oils of similar use, for sale in said city; and to see that the same bear the test of 110 degrees Fahrenheit; to examine and order the removal of any shavings, straw, or other combustible materials, accumulated in or near any building so as to endanger property from fire; to inquire into the manner of using any building or room in said city, when he has reason to think that such use endangers the city from fire; to order such scuttles, fire-escapes and fire ladders as he may deem necessary for the reasonable safety of persons or property; to order such alterations and changes in buildings and rooms, and in the use of the same, and in piles of lumber, as to conform with this ordinance, and render the city reasonably safe from fire; to order any person or persons engaged in erecting, enlarging or using any building, in said city, contrary to this ordinance, to desist; to issue the licenses and permits prescribed for him, and to perform any other duty required of him by these ordinances.

SEC. 246. All orders in respect to any of the particulars in the foregoing section, mentioned shall be given in the manner following, viz.: The fire marshal shall specify in writing the thing to be done and the time within which the order must be complied with, and shall leave, or cause to be left, a true copy of said order in the hands, or at the place of abode, of the person upon whom such order is made. And every person upon whom such order is made, as aforesaid, who shall neglect or refuse to comply with such order within the time specified therein, shall forfeit and pay a penalty of five dollars, and an additional penalty of five dollars for every week during which such neglect or refusal shall continue.

Provided: that any person feeling aggrieved by such order may appeal to the board of aldermen, at their next regular session, on giving written notice to said marshal forthwith, or within the time limited in said order, and such order may be affirmed, modified or rescinded by said board, and any neglect or refusal to comply with the order as approved by said board, shall be punished as above provided; but said board shall not allow the appellant to continue any violation of these ordinances.

SEC. 247. If any order of the fire marshal, as provided in this chapter, shall not be complied with in the time prescribed therein, it shall be the duty of the fire marshal, with the advice of the mayor, taking such assistance as may be necessary to cause such

order to be complied with, and the expense thereof shall be recovered as hereinafter provided, in any proper form of action on behalf of the city, as in the case of the expenses of the abatement of nuisances.

SEC. 248. No person shall hinder, obstruct, resist or abuse said fire marshal in the discharge of any of the duties imposed upon him by these ordinances.

SEC. 249. The fire marshal shall keep a record book or books, wherein he shall enter the substance of all orders issued by him, all complaints made to him in reference to the matters within his cognizance, and all inspections and examinations made by him.

He shall annually make report to the board of aldermen of the services performed by him as fire marshal.

He shall enter complaint to the city attorney for any violation of the provisions of this ordinance.

FIRE ALARM TELEGRAPH.

SEC. 250. No person shall cut any fire alarm telegraph wire, or shall destroy, deface, or in any manner injure the fire alarm telegraph or any part thereof, in said city, or any of the appurtenances of the same, or shall interfere with, or do anything to the same, so as to prevent or delay the proper or timely use thereof, or shall without probable cause send in an alarm of fire.

SEC. 251. No person shall open any alarm-box connected with the fire alarm telegraph, except by the authority of, and with the key furnished by, the superintendent of the fire alarm telegraph.

SEC. 252. No person shall have, or keep in his possession, without permission from the superintendent of the fire alarm telegraph, any fire alarm telegraph key.

FIRE HYDRANTS.

SEC. 253. The board of fire commissioners shall report to the board of aldermen, from time to time, whenever, in the opinion of the said board, any new public fire hydrant or reservoir is needed by the city for protection from fire.

SEC. 254. It shall be the duty of the chief of the fire department to see that all public fire hydrants, wells and reservoirs are kept at all times, in good condition and repair, and to report to

the board of aldermen any deficiency in the supply of water to any public hydrant.

SEC. 255. No person shall fasten any guy rope, brace, support, or fastening of any kind, or hitch or fasten any animal, to any public hydrant.

SEC. 256. No person shall willfully break, injure, cover up or encumber any hydrant or shall place upon or about it any snow, ice, sleet, rubbish, building material or other substance.

GENERAL PROVISIONS.

SEC. 257. No ashes shall be kept in any wooden box, cask or barrel or emptied upon any wooden floor within any building in said city. No chimney shall be cleaned by burning except during the day time and when rain or snow is falling.

SEC. 258. No person shall deposit or keep any hay, stalks, straw, husks or flags in any building in said city wherein any person dwells, or in which a fire is kindled, until the arrangement in such building for heating purposes shall have been examined and approved by the fire marshal.

No person shall carry into, or use in, any barn, stable or other building in which hay, stalks, straw, husks or flags are deposited, any lighted candle, lamp or fire, unless the same be well secured in a lantern, nor carry into such building a lighted pipe or cigar. No person shall keep for use any wooden spittoon, unless lined with fireproof material.

SEC. 259. No person shall throw or drop any matches, unused or with any fire on them, or any fireworks, into or in any barn, stable, shop, store or factory, or upon any combustible materials.

SEC. 260. No machine or contrivance shall be used in any building in said city for generating gas from oil or other fluid, for lighting purposes, without a license therefor, under the hand of the fire marshal, by direction of the board of fire commissioners.

SEC. 261. No bonfire shall be kindled in any street or public park within said city, nor in any part of said city within one hundred feet of any building, except in gardens or vacant lots, nor in any garden or vacant lot within twenty-five feet of any building, nor in any garden or vacant lot except between sunrise and two o'clock in the afternoon; except by permit granted by the chiefs of the police and fire departments.

No person shall kindle, or assist in kindling, a bonfire, contrary to the foregoing provisions, or aid in supplying any fuel or combustibles to such bonfire.

SEC. 262. No person shall pile, or cause to be piled, any boards, timber, shingles, lath or other lumber, in the vicinity of any dwelling house in said city, at any less distance from dwelling house, at the nearest point, than double the height of such pile.

SEC. 263. Every person or corporation who shall be guilty of violating any of the provisions of this chapter, except when the penalty is hereinbefore expressly provided, shall forfeit and pay a penalty of not less than one, nor more than one hundred dollars, according to the nature and aggravation of the offense.

CHAPTER XII.

FOOD.

- | SEC. | | SEC. | |
|------|--|------|--|
| 264. | No unwholesome or adulterated milk to be sold. | 271. | Officials of Board of Health may take samples for analysis. |
| 265. | The term adulterated milk defined. | 272. | No unwholesome meats, fish and fruits, etc., to be sold in city. |
| 266. | Can or package containing "skimmed milk" must be marked. | 273. | Place where food is sold must be kept in clean condition. |
| 267. | Dealers in milk must be licensed; provisions concerning; revocation. | 274. | No impure liquid to be brought into the city or offered for sale. |
| 268. | Vehicles to have number of license on outside thereof. | 275. | Unwholesome food may be destroyed by proper officials and sale prohibited. |
| 269. | Employes of Board of Health may enter upon premises of producer or vender. | 276. | Penalty for violation of ordinance. |
| 270. | Unlicensed dealer subject to penalties. | | |

ADULTERATED MILK.

SEC. 264. No milk producer, or vender, shall, either himself, or through his agents, or employes, offer, or expose for sale, or sell or deliver for sale, or consumption within the city, any unclean, impure, unhealthy, unwholesome, or adulterated milk.

SEC. 265. The term adulterated milk, when used in this ordinance, shall mean: 1. Milk showing at least two of the three following characteristics, to wit:

(a.) A specific gravity of less than 1.029, or more than 1.033;

(b.) Less than three and a half per centum of fat;

(c.) Less than eleven and one-half per centum of milk solids;

2. Milk drawn from cows within fifteen days before, or five days after parturition, or

3. Milk drawn from animals fed on any substance in a state of putrefaction, or any unhealthy food, or supplied with water which is impure or unwholesome, or

4. Milk drawn from cows kept in a crowded, filthy, or unclean condition, or

5. Milk that has been diluted with water, or any other fluid, or to which has been added, or into which has been introduced any substance producing any deleterious effect on said milk, or

6. Milk from which any part of the cream has been removed, unless such milk is sold as "skimmed milk," as hereinafter provided, or

7. Milk drawn from any animal affected with tuberculosis or any other form of disease. All adulterated milk shall be deemed unclean, unhealthy, impure and unwholesome.

SEC. 266. No person licensed under the provisions of this ordinance shall have in his possession with intent to sell, offer or expose for sale, or sell, or deliver for sale, or consumption, in any store, or place of business, or from any wagon, cart, sleigh or other vehicle used in distributing or selling milk, any milk from which cream has been removed, or milk commonly known as "skim milk," without first marking the can or package containing said milk, and from which said milk is delivered to the purchaser or consumer, with the words "skimmed milk" in large, plain, black letters, each letter being at least one inch high and one-half inch wide, said words to be on the top or side of said can or package in such a position as to be easily seen when such milk is sold or delivered.

SEC. 267. It shall be unlawful for any person to have in his possession, with intent to sell, offer or expose for sale, or sell, deliver for sale, or consumption within this city, any milk without having first obtained from the board of health a license so to do, which license shall be issued on application in writing to said board of health, upon blanks provided for such purpose, and on payment to said board of health of a license fee of fifty cents. Said license shall not be assignable, shall be effective until the first of May next ensuing, and may be renewed for one year upon its expiration, on application and payment of said fee as aforesaid, but the said board of health shall have the right and authority to refuse to license any person who has violated any of the provisions of this ordinance, and may revoke and cancel such license, at any time, for a violation of the provisions of this ordinance.

SEC. 268. Each licensee shall, before engaging in the sale of milk, cause the name and number of his license to be legibly placed

and kept in a conspicuous place on each side of the outer side of all carriages, wagons, carts, sleighs or other vehicles used by him in the conveyance and sale of milk.

SEC. 269. In order to carry out the provisions of this ordinance the officials, inspectors and employes of the board of health shall have the right at any and at all times to enter upon or into the premises of any producer or vender of milk licensed under the provisions of this ordinance, and any refusal upon the part of said producer or vender to allow such entry and inspection as may be required and directed by the board of health may be followed by the revocation of the license of such producer or vender by said board of health.

SEC. 270. Any milk producer or vender to whom a license for the sale of milk has been refused, or whose license has been canceled or revoked, as provided in this ordinance, who shall hereafter offer, or expose for sale, sell or deliver for sale or consumption within said city any milk, shall be subject to the penalties provided by this ordinance.

SEC. 271. The officials, inspectors or employees of the board of health shall have the right to enter upon and inspect all places and premises from which milk is sold and in which milk is stored, and to board all carriages, wagons, carts, sleighs or other vehicles from which milk is sold or delivered, and to take therefrom samples for analysis, and any person who hinders or obstructs such officials, inspectors or employees while in the discharge of their duties shall be subject to the penalties provided in this ordinance.

UNWHOLESOME MEATS, FISH, FRUIT, ETC.

SEC. 272. No meat, fish, birds or fowl, fruit or vegetables, not being then healthy, fresh, sound, wholesome and safe for human food, nor any meat or fish that died by disease, or accident, and no veal less than four weeks old, shall be brought within said city, or offered, or held for sale, in any public or private market as such food anywhere in said city.

SEC. 273. Every person being the owner, lessee or occupant of any rooms, stall or place where any meat, fish, birds or fowl, fruit or vegetables, designed or held for human food shall be stored or kept, or shall be held, or offered for sale, shall put and keep such room, stall and place, and its appurtenances in a clean and wholesome condition; and every person having charge or interested or

engaged, whether as principal or agent, in the care or the custody of any meat, fish, fruits, birds, fowl or vegetables designed for human food, shall put and keep the same in a cleanly and wholesome condition, and shall not allow the same, or any part thereof, to be poisoned, infected or rendered unsafe, or unwholesome for human food.

SEC. 274. No person shall bring into said city for use as a drink for human beings, or offer, or have for sale in said city, as such drink, any milk, or any other liquid whatever, so impure, adulterated, diseased or contaminated as to be deleterious and injurious to the public health, or any milk from diseased cattle.

SEC. 275. Upon any meat, birds, fowl, fish, fruit, vegetables, or any articles of food or drink being found by any health inspector, policeman, or any member of the health department in a condition which renders them in his opinion unwholesome and unfit for use as human food, then such health inspector, policeman, or member of the health department may forbid the same being offered or exposed for sale, or being sold for human food, until the owner or party in charge, or other proper person has obtained the consent of the health officer to their being so offered, used or sold. And thereupon, if the health officer shall have approved the judgment of said health inspector, policeman or member of the health department, said health officer may order said articles destroyed, or may permit the owner or any party in charge to speedily remove such articles from any market, street or public place, but not to sell, or dispose or offer to sell, or dispose thereof, for the purpose of human food.

And in case of disobedience to such orders, and also in all cases when in the opinion of the health officer such articles, by reason of their being in a decayed or offensive condition, would, if allowed to remain, be dangerous to health, the same (as the board of health commissioners may provide) may be destroyed, or removed by any health inspector, police officer, or officer of the health department to some suitable place at the expense of the city, and the expense thereof shall be recoverable against the party who should have removed the same in the same manner as are expenses incurred by the health department under section 348 of the ordinances of this city.

SEC. 276. Any person violating any of the provisions of this chapter shall be fined not more than \$100.00.

CHAPTER XIII.

GOOD ORDER AND DECENCY.

SEC.		SEC.	
277.	Bathing naked prohibited, except in places designated by board of aldermen; penalty.	281.	Penalty for training for prize fight.
278.	Penalty for defacing buildings, etc.	282.	Penalty for suffering animals to fight for wager.
279.	Concert saloons; penalty for keeping, etc.	283.	Penalty for carrying iron knuckles, etc., or concealed weapons, without permission.
280.	Sparring exhibitions; penalty for.		

SEC. 277. No person shall swim or bathe naked in any of the waters in or around said city, except in such places as may be designated by the board of aldermen for that purpose.

Any person offending against the provisions of this section shall forfeit and pay a penalty of five dollars for every such offense.

SEC. 278. Every person who shall willfully and maliciously be-daub or besmear any building, fence, sidewalk, post, treebox or guard, tree or shrub, premises, vehicles, statuary or fountain, or any useful or ornamental thing or structure, with any paint or filthy substance, or any injurious or disfiguring matter, or shall in any manner injure or disfigure, hack or cut any such building, fence, sidewalk, post, tree box or guard, tree or shrub, premises, vehicle, statuary or fountain, or any useful or ornamental thing or structure, or shall make or draw any obscene or filthy figures thereon, or write any obscene or disfiguring words thereon, or anything which shall injure or disfigure the same, shall be deemed guilty of committing a nuisance, and shall forfeit and pay a penalty of not less than five, nor more than one hundred dollars for every such offense.

SEC. 279. Every concert saloon, and every place, enclosure, or structure in said city, in which spirituous liquors, ale, wine or lager beer is commonly sold, or given away, or reputed to be sold, or given away, and in which any exhibition of dancing, acting, singing or music is also permitted; and all separate, but con-

tiguous, or nearly contiguous structures, used or intended to be used, in connection with each other, for the selling or giving away in one, spirituous liquors, ale, wine or lager beer, and also for any such exhibition in the other, shall be deemed a common nuisance; and every person keeping any such saloon, place, enclosure, structure, or structures, and every person taking part in any such exhibition therein, shall be deemed guilty of counseling and maintaining a common nuisance, and shall forfeit and pay not less than ten, nor more than one hundred dollars for every such offense.

SEC. 280. Every sparring exhibition, except with regulation boxing gloves approved by the chief of police, shall be deemed a nuisance, and every person taking part in such exhibition, except as aforesaid, shall forfeit and pay a penalty of not less than twenty-five, nor more than one hundred dollars for every such offense.

SEC. 281. Every person who shall train himself or another person in said city, for a prize fight, shall forfeit and pay a penalty of one hundred dollars for every such offense.

SEC. 282. Every person who shall suffer any animal belonging to him, or in his custody, to engage in any fight, concerning which there is, or shall be, any prize, stake or wager, or who shall keep any animal in said city for any such purpose, shall forfeit and pay a penalty of not less than ten, nor more than fifty dollars for every such offense.

SEC. 283. Every person who shall carry in said city, any steel or brass knuckles, pistol, or any slung shot, stiletto or weapon of similar character, or shall carry any weapon concealed on his person without the permission of the mayor or chief of police in writing, shall, on conviction, pay a penalty of not less than five, nor more than one hundred dollars.

CHAPTER XIV.

HEALTH.

CONTAGIOUS DISEASES.

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| SEC. | SEC. |
| 284. No private hospital for treatment of contagious disease to be erected in city; penalty. | 290. Child sick with contagious disease not to be allowed to attend school. |
| 285. What diseases declared to be contagious. | 291. Person sick, etc., not to come into New Haven without permit. |
| 286. Physicians to report to board of health, nature of disease, name of patient, etc. | 292. Isolation of person or clothing; board of health not to be interfered with. |
| 287. Physicians to report the name, etc., of the person dying from contagious disease. | 293. Public funerals prohibited. |
| 288. Hotels and lodging house keepers, etc., to report to board of health when no physician is in attendance. | 294. Clothing or other articles not to be taken into public conveyance unless disinfected. |
| 289. Persons sick with contagious disease not to be removed without permit. | 295. Conveyance used in carrying sick persons must be disinfected. |
| | 296. Dwelling houses to be placarded. |
| | 297. Penalty. |

SEC. 284. No private hospital for the care or treatment of contagious or infectious diseases shall be erected or maintained in the city of New Haven, and any person or persons, or corporation, who shall violate this ordinance shall forfeit and pay a penalty of not less than twenty-five dollars, nor more than one hundred dollars for each and every week during which such hospitals shall be so erected or maintained.

SEC. 285. That small-pox, scarlet fever, diphtheria, membranous croup, typhoid fever, typhus fever, Asiatic cholera, yellow fever and measles, be and they are hereby declared to be dangerous to the public health and they are hereby declared to be contagious diseases within the meaning of these ordinances.

SEC. 286. Every physician practicing within the city of New Haven shall report in writing to the board of health of said city,

within twelve hours after he has discovered the nature of the disease, or immediately, if practicable, specifying the name, age and address of each patient having either of said contagious diseases, for whom said physician has prescribed or attended, or had been called upon to attend; also the nature and duration of such disease, the number of children, also the families in said house, the school attended, if known, the factory, shop or place at which said patient works or is employed.

SEC. 287. Every attending physician shall also report in writing to said board the name, age and address of every person who shall have died of any contagious disease within twelve hours after he shall have been informed of said death, and the specific name and type of such disease.

SEC. 288. Every lodging house keeper, hotel keeper, householder or person having charge of any public or private institution, or any master of any vessel within the city of New Haven, in whose house, hotel, institution or vessel any person is sick with any of the aforesaid described diseases, unattended by a physician, shall report the same to said board within twelve hours after it shall come to his or her knowledge.

SEC. 289. No person shall, without a permit from said board of health, carry or remove from one building to another, or from any vessel, ship, boat or enclosure, any person sick with any of the diseases specified and described in this chapter, or any clothing or other articles which have been or which may have been exposed to infection; nor shall any person expose one sick with any of the diseases specified and described, nor the body of such person or any article in his possession, or cause or contribute to or promote the spread of disease from such sick person or the body thereof.

SEC. 290. No superintendent, principal, or teacher of any school, no parent, or guardian of any child attending school, shall knowingly permit a child sick with small-pox, scarlet fever, diphtheria, membranous croup or typhus fever, or any child residing in a house in which such disease exists, to attend any school in said city, without the permission of the board of health of said city.

SEC. 291. No person sick with any of the diseases specified in this chapter, shall come into, nor shall any person bring or cause to be brought into the city of New Haven any person known to be or reasonably suspected to be sick with any of said diseases, or of having any article of clothing which has been exposed to infection,

from any disease described in this chapter, without a permit from said board of health.

SEC. 292. No person shall hinder or prevent the board of health of said city from securing the isolation of any person, sick with the diseases described in this chapter, or the disinfection of any premises, or articles, or clothing, which have been exposed to infection, or the using of proper methods and means which may be proper to control the spread of such disease or diseases.

SEC. 293. There shall be no public funeral of any person dead from small-pox, scarlet fever, diphtheria, membranous croup or typhus fever, without the permit of said board of health.

SEC. 294. No one shall enter a passenger car, street car, steamboat, hack, cab, stage, or other public conveyance, wearing, or having in his or her possession, any clothing or other articles with which said person shall have had in attendance upon any person sick with small-pox, scarlet fever or typhus fever, without having had the same disinfected to the satisfaction of said board of health.

SEC. 295. Any hack, cab, stage, horse car, steam car, steamboat, vessel, or other public or private conveyance, in which any person is reasonably believed to have been carried, or known to have been carried or transported, while suffering with small-pox, scarlet fever, typhus fever or yellow fever, shall not thereafter be used for the carrying of any passenger until such vehicle, car, steamboat or vessel, shall have been disinfected to the satisfaction of said board of health.

SEC. 296. Whenever information is received at the office of the board of health, that a case of either small-pox, scarlet fever, diphtheria, membranous croup, Asiatic cholera or typhus fever exists in any dwelling house or tenement in New Haven, said board shall cause a public notice or placard of contagion to be officially placed upon such dwelling house or tenement, and no person shall remove said notice or placard except by order of the board through its duly constituted officer.

SEC. 297. Any person violating any of the provisions of this chapter shall be fined not more than \$100.

CHAPTER XV.

LAMPS.

SEC.	SEC.
298. Board of aldermen may order lamps to be set up.	300. Injuring or interfering with lamp or light.
299. Obstruction not to be placed within ten feet of lamp.	301. Duty of person injuring lamp.
	302. Penalties.

SEC. 298. The board of aldermen is hereby authorized to cause to be set up such lamps in the streets and public places in said city, for the purpose of lighting the same, as they may determine to be convenient and necessary.

SEC. 299. No person shall place any pole, post or structure of any kind within ten feet of a public light or lamp within the limits of the city of New Haven which can in any way obstruct the light coming from said lamp or light, or caused to be attached to such lamp, or light, any rope, cable, advertisement or written or printed matter.

SEC. 300. No person shall willfully, maliciously or carelessly throw down, break, deface, or otherwise injure or remove any lamp in any street or public place in said city, or the posts, irons, glass street signs, whether the same be in the lamp or attached to the post or pole or other furniture belonging to or connected with the same, or shall in like manner and without proper authority light any such lamp, or shall in like manner and without proper authority extinguish any such lamp. This section shall apply to all lamps, whether the same are commonly used or not. Lamps and lamp posts may be removed only after a permit, signed by the lamp inspector, has been obtained.

SEC. 301. It shall be the duty of every person injuring any public lamp post, or lamp, to report within twenty-four hours thereafter the location and character of such injury to the lamp inspector, who is hereby authorized to accept such payment as will reimburse the city for the damage sustained.

SEC. 302. Any person violating any of the provisions of this chapter and failing as heretofore provided to notify the lamp inspector and pay the damage suffered by the city shall be fined not less than \$5.00 nor more than \$100.00 for every such offense.

CHAPTER XVI. LICENSES AND PERMITS.

SEC.	SEC.
303. Controller to provide blanks, etc., to be furnished to applicants, etc.	308. Record book to be kept by officers issuing, etc.
304. Applications; how made.	309. Not to be construed to authorize breach of law, trespass, etc.
305. Applications; to whom addressed.	310. No to be in force more than one year, termination, transfers.
306-307. Licenses and permits; how issued; duty of person issuing same; to be numbered and to contain conditions.	311. Revocation.
	312. Appeals.
	313. Fees.

SEC. 303. The controller shall provide suitable records, forms and blanks for every license and permit required by the city ordinances, and for applications therefor.

SEC. 304. Such application shall be signed by the person to whom the license or permit is to be issued, or his authorized agent, and shall specify the time or times, and place or places, for which such license or permit is desired, the particular nature of the act or acts to be done, and such other particulars as may be required to show that such license or permit may be granted and will be used in accordance with law; and such application shall be numbered and kept on file by the officer to whom directed.

SEC. 305. Applications for licenses and permits may be addressed as follows, viz:

TO THE MAYOR.

All applications not otherwise provided for.

TO THE BOARD OF ALDERMEN.

For Gunpowder.—*Trade*, section 609.

For Tanners, etc.—*Nuisances*, section 341.

For Slaughter houses.—*Nuisances*, section 339.

TO THE CHIEF OF POLICE.

For Billiard Tables and Bowling Alleys.—*Amusements*, section 15.

For Public Exhibitions, etc.—*Amusements*, section 16.

For Public Conveyances and Drivers.—*Public Conveyances*, sections 415, 419.

Fireworks in Streets and Squares.—*Public Works*, section 496.
For Trade Booths, etc.—*Public Works*, section 493.
For Bootblackening.—*Trade*, section 603.

TO THE DIRECTOR OF PUBLIC WORKS.

For Removing Trees.—*Public Works*, section 536.
For Excavating in Streets.—*Public Works*, sections 469-471.
For Connecting with Sewers and Mains.—*Public Works*, sections 469-471.
For Otherwise Obstructing Streets.—*Buildings*, sections 54, 195, 197.
For Watering Carts.—*Public Works*, section 531.

TO THE FIRE MARSHAL.

For Transporting Gunpowder.—*Trade*, section 611.
For Keeping Kerosene, etc., for sale.—*Trade*, section 626.
For Gas Generator.—*Fire*, section 260.
For Inflammable Oils.—*Trade*, section 619.

TO THE BUILDING INSPECTOR.

For Restoring Building Partly Destroyed by Fire.—*Buildings*, section 180.
For Erecting, Enlarging or Moving Building.—*Buildings*, sections 50, 202.
For Building Materials in Streets.—*Buildings*, section 54.
For Theater.—*Buildings*, section 129.

TO THE INSPECTOR OF BOILERS.

For Erecting Steam Boiler or Engine.—*Steam Boilers*, section 583.

TO THE BOARD OF HEALTH.

For Carting Whitefish Through Streets.—*Nuisances*, section 320.
For Night Soil Men.—*Nuisances*, section 331.
For Slaughters, etc.—*Nuisances*, section 339.
For Tanners, etc.—*Nuisances*, section 341.
For Trying Grease, etc.—*Nuisances*, section 342.
For Plumbers.—*Plumbers*, section 375.

SEC. 306. If such officer is authorized to issue such license or permit in his own discretion, he shall issue the same as aforesaid, if he deems proper; but if such matter is to be first decided by any board, he shall lay the application before such board, with

such information on the subject as he may possess; or if he is in doubt in the matter, he may lay such application before the board having cognizance of appeal, and shall follow the direction of the board in the premises.

SEC. 307. Every license or permit provided for by the city ordinances shall be signed by the proper officer or officers authorized to issue the same, and countersigned by the collector, and the fee, if any is designated therefor, paid to said collector for the use of the city treasury, before such license or permit shall be in force. It shall be the duty of the person issuing such license or permit to ascertain whether said fee is paid.

Such licenses and permits shall be numbered and shall contain a condition that every person acting under the same shall conform to the representations of the applications therefor, and to the ordinances of the city, applicable to the subject matter thereof, and such other terms and conditions as the particular circumstances of each case shall, in the judgment of the authority issuing the license or permit, require.

SEC. 308. Every officer authorized to issue licenses or permits as aforesaid shall, in a record book kept by him for that purpose, enter a memorandum of every license or permit issued by him, with the number, the date, the name of the person to whom issued, the purpose for which it is issued, the time when it will expire, and any special condition included therein, and the amount of fee charged therefor.

SEC. 309. No such license or permit shall authorize or excuse any breach of law, or any trespass upon the rights of others, or shall render the city liable for any damage that may be committed or caused under color thereof.

SEC. 310. All licenses except those issued for a definite period of less than one year shall be given to continue in force until the first day of May next succeeding the date when all such licenses shall terminate. *Provided*, that all licenses now in existence which were given for one year shall continue in force until the first day of May next succeeding the time when said licenses would regularly expire.

Licenses and permits for trades may be renewed to the same person for the same place or places, but shall not be transferred to a different person or place, except as provided in these ordinances.

SEC. 311. The officer empowered to issue any such license or permit, may at any time revoke the same for any breach of the terms or conditions thereof, upon giving to the person to whom the same is issued notice of such revocation, and making a record thereof; and from the time of such notice any act done under color of such license or permit shall subject the person doing or suffering it to be done, to the same penalty as if he had done such act without such license or permit, unless such revocation is disapproved as hereinafter provided.

SEC. 312. If any person shall feel aggrieved by the neglect or refusal of any of said officers to issue license or permit, or by the terms or conditions therein imposed, or by any revocation of such license or permit, as aforesaid, he may appeal to the board having cognizance of the matter, by the city ordinances, upon giving notice to such officer within one week thereafter; and until such terms, conditions, or revocations, are disapproved by such board they shall be binding on the appellant; and such board may order such modification as they may deem proper, not inconsistent with the city ordinances.

If no other board has supervision of the subject matter, it shall be referred to the board of aldermen.

SEC. 313. The following fees shall be charged and paid for licenses and permits required by the city ordinances:

Amusements, §15. Billiard Tables and Bowling Alleys	
for hire, each	\$.50
§16. Circus, feats of horsemanship, in	
tents or other temporary structure, for first day	75.00
for each succeeding day	50.00
Menagerie, caravan, exhibition of	
living animals as above, for each	
exhibition or performance, for	
first day	75.00
for each succeeding day	50.00
Exhibition of dexterity, gymnastics,	
dance, minstrels, curiosities, theatrical performance, opera or concert by professional performers in Hyperion Theatre, New Haven Theatre, or in any other	

building usually occupied by professional performers, for each day \$1.00

but if the owners or lessees of any of said theatres shall pay \$15.00 on the first day of any month in advance for license to play during the month, said payment shall be in lieu of the nightly license fee.

In any room or building continuously and permanently occupied by the same person or persons for repeated exhibitions or performances of the same kind and by the same party or parties, a monthly license fee in advance of 5.00

Lectures unaccompanied by any of the above performances—concerts given by amateurs belonging in said city—concerts and exhibitions given by members of any institution of learning in said city, or by any religious or charitable society in said city, and exhibitions of stereopticon or works of art 00.00

For exhibitions not included above, rates may be fixed by the mayor; and if any of said exhibitions are of little interest or importance, or the proceeds are to be entirely for the benefit of any educational or charitable object in said city, he may reduce the fee to any amount he may deem proper.

For fairs, balls or dances 00.00

Buildings.	§43.	For alteration and repair of building	1.00
	§54.	For new buildings	\$2.00 to 10.00
	§202.	Removing buildings	1.00
	§180.	Restoring wooden building damaged by fire	1.00

Fire.	§260.	Using gas generator	\$10.00
Food.	§267.	Dealing in milk . . . . .	.50
Nuisance	§320.	Carting whitefish	1.00
	§329.	Draining privy vault	00.00
	§331.	Business of night soil man	10.00
	§333.	Cleaning vault out of season	00.00
	§339.	Slaughters, etc.	10.00
	§341.	Tanneries, etc.	10.00
	§342.	Grease, soap, etc.	10.00
Steam Boilers.	§583.	Erecting steam boiler or engine . . . . .	.50
Public Works.	§471.	Opening any street to lay gas, heat supply or water main . . . . .	.50
	§471.	Opening any street to lay railroad track . . . . .	.50
		Opening any street to repair gas, heat supply or water main . . . . .	.50
		Opening any street to connect with sewer, gas, heat supply or water main . . . . .	.50
		Opening any street for any other purpose . . . . .	.50
		Opening any street or sidewalk for constructing vault	2.00
		For making any opening, aperture or any excavation in any sidewalk, for the purpose of erecting any electric light or telegraph pole, or awning pole or post, for any other purpose except the removal of trees or planting of trees, or setting hitching posts, and except in cases where ordered by the board of aldermen, or a committee thereof, or where a different fee is provided . . . . .	.50
		Connecting with the State, Park and George street sewer, from Water to Crown streets, and the sewer in York and Oak streets, from George street to Broad street, as follows:	

Public Works.	§341.	From dwelling houses and stores, each tenement	\$50.00
		From hotels and public houses	150.00
		From manufacturing and other es- tablishments, not included in the above	200.00
		Connecting with any other sewer or main shall be included in the per- mit for excavating for that pur- pose	
		Business of tapping sewers, gas or water mains	1.00
	§202.	Removing building through street	25.00
	§483.	Obstructing streets for other pur- poses . . . . .	.25
	§496.	Fireworks, etc., on public streets and squares	00.00
	Public Conveyances. §§414-419. Passenger vehicles, each		
			1.00
Trade.	§531.	Watering Carts	00.00
	§419.	Drivers of passenger vehicles, each . . . . .	.50
	§414.	Baggage Wagons, each . . . . .	.50
	§419.	Drivers of baggage wagons, each . . . . .	.50
		Trucks, drays, etc. . . . .	.25
		Drivers of trucks, drays, etc., each . . . . .	.25
	§421.	Transfer of licenses for vehicles and drivers	00.00
	§603.	Bootblacks	00.00
	§609.	Business of selling gunpowder	2.00
	§611.	Using gunpowder in manufacture	1.00
	§617.	Selling fireworks	5.00
	§§619-624.	Wholesale trade in petroleum, and similar oils	1.00
	§§625-629.	Keeping for retail, petroleum, and similar oils, in quantity less than three barrels . . . . .	.25

CHAPTER XVII.

NUISANCES.

- | SEC. | | SEC. | |
|----------|---|------|---|
| 314. | Encroachment on streets. | 336. | Occupant of house, etc.; to keep yard and premises in clean condition. |
| 315. | Obstruction of streets. | | |
| 316. | Excavation in streets, sidewalks, etc. | 337. | Stables, pens, etc., to be kept in clean condition; keeping of swine and cattle prohibited. |
| 317. | Rope, etc., fastened to hydrant. | 338. | Guano, etc., not to be kept in such manner as to be offensive. |
| 318. | Obstruction in docks, etc.; penalty. | 339. | No building or yard to be used for purpose of killing or dressing animals for hire, markets, etc.; board of aldermen may direct license of premises for such purpose; when. |
| 319. | Offal, etc., in streets. | | |
| 320. | Carting white fish. | 340. | No person to kill or dress, or assist in killing or dressing, any animal used for food, except in building licensed. |
| 321-322. | Carting garbage, offal, etc.; penalty. | 341. | Tanneries; board of aldermen may direct licenses to be issued. |
| 323. | Dressing of animals, animal and vegetable substances liable to putrefy. | 342. | Soap factories, etc.; board of aldermen may direct license to be issued. |
| 324. | Dead animals to be buried; penalty for neglect or refusal. | 343. | Manure, etc., not to be kept so as to be offensive. |
| 325. | Fruit on sidewalks, etc.; filthy substances in streets, etc. | 344. | Drains, sinks, cesspools; how constructed; abandoned wells not to be used for. |
| 326. | Private drains discharging upon surface of street. | 345. | Owners and occupants of premises to keep same and street in front to center free from violation of foregoing provisions, etc. |
| 327-330. | Privies and cesspools. | | |
| 331. | Night soil men may be licensed. | | |
| 332. | Conveyances for night soil; board of health authorized to issue permits. | | |
| 333. | No person to clean privy-vault or cesspool unless licensed; time for cleaning privies; clerk of board of health may issue special permit; when. | | |
| 334. | Night soil men to obey clerk of board of health. | | |
| 335. | Contents of privies, where deposited, how covered, etc. | | |

SEC.	SEC.
346. Board of health to prevent and abate foregoing nuisances; to make complaint to city attorney.	350. Gunpowder, petroleum, nitro-glycerine and other explosives deemed a nuisance; mayor power to remove.
347. How director of public works may abate foregoing nuisances.	351. Steam whistles; mayor may prohibit blowing.
348. Expenses incurred; by whom paid; how collected.	352. Hand organs; when a nuisance.
349. Gas works, etc.; when to be deemed a nuisance; how abated; gas and other pipes, nuisances; when; how abated.	353. Fire hydrant not to be opened without authority.
	354. Sprinkling and watering streets.
	355. Unhealthful tenement may be closed; mode of procedure.

SEC. 314. Every encroachment upon any street beyond the street line, by any fence, building or step, shall be deemed a common nuisance.

SEC. 315. Every obstruction of any street, public square or walk in said city, contrary to any provision of the ordinance concerning public works, shall be deemed a common nuisance.

SEC. 316. Every excavation or opening in any sidewalk, street or square, and every cellar-way or other descent near the line of any street, likely to cause danger or inconvenience, and contrary to any provision of the ordinance concerning public works, shall be deemed a common nuisance.

SEC. 317. Every rope, guy, support and brace, fastened to or set against any hydrant, contrary to the provisions of the ordinance concerning fire, shall be deemed a common nuisance.

SEC. 318. Any stone, wood, timber, lumber of any kind, iron, coal, goods, wares or merchandise, freight of any kind, refuse or rubbish, in or upon any flat, slip, quay, dock or public landing place in said city, for a period of more than two days, to the encroachment on or obstruction of, such flat, slip, quay, dock or public landing place, or to the inconvenience of any person having lawful occasion to use the same, shall be deemed a common nuisance.

Every person placing or leaving such incumbrance, or causing or procuring the same to be left and to remain as aforesaid, shall forfeit and pay a penalty of not less than one, nor more than twenty-five dollars, for every day, after said two days shall have expired, until said incumbrance shall have been removed.

SEC. 319. The placing or depositing in or on any street or sidewalk, or the dragging along or across the same any offal, filth, hides or other offensively smelling substance, causing such street or sidewalk to be in an unclean and offensively smelling condition, shall be deemed a nuisance.

SEC. 320. No person shall convey or cause to be conveyed through any street or portion of any street in said city, any whitefish, without a written license therefor, from the board of health, specifying the street or streets through which such whitefish may be conveyed, as provided in the ordinance concerning licenses and permits. Any violation of this section, or of the conditions and requirements of such license, shall be deemed a nuisance.

SEC. 321. No person shall convey or cause to be conveyed through any street, or portion of any street in this city, any offal, bones, grease, fat or any putrid or offensive matter, without a license from the board of health. If any person, by himself, his servant or agent, shall willfully or carelessly violate this section, he shall forfeit and pay a penalty of not more than fifty dollars for such offense.

SEC. 322. Any person engaged in the business of carting materials mentioned in the preceding section shall use a conveyance acceptable to the board of health and from the first of April to the first of December in each year such material shall be carted in tight barrels with covers which shall be closed at all times except when opened for the purpose of placing said material within the barrel or removing the same. During the months of May, June, July, August and September said barrels shall be washed daily with hot water.

SEC. 323. The dressing or cleaning of any fish, birds, poultry or animal of any kind in or upon any public or private landing place, or on any wharf or bridge, or on the margin of any basin, cove, creek, brook or river, or on any railroad, street or public square, or on the shore of the harbor, or on the harbor above low water mark; or leaving in any such place, or any other place in said city, any animal or vegetable substance, liable to putrefy, without burying or otherwise securing the same, so that no stench, contagion or contamination of the air can arise therefrom, shall be deemed a nuisance.

SEC. 324. The owner of every animal that shall die or be found dead in said city, except where such animal has been killed for

food and is fit for food, shall cause such animal to be immediately buried, at least three feet under ground, or carried beyond the city limits, and shall forfeit and pay a penalty of not less than five, nor more than fifty dollars for every neglect or refusal so to do.

SEC. 325. Every violation of the ordinance concerning public works, by throwing or leaving any fruit or pieces of fruit on any sidewalk, or by throwing into or leaving in any street, gutter, gullyshoot or catch basin, any ashes, cinders, dead animal, animal or vegetable substance, dirty water, brine, rubbish or other substance, likely to render such street, gutter, gullyshoot or catch basin unclean, or to impair its usefulness to the public, shall be deemed a common nuisance.

SEC. 326. Every private sewer or drain, discharging into any street, gutter, or upon the surface of any street, contrary to the 514th section of the ordinance concerning public works, shall be deemed a common nuisance.

SEC. 327. Every lot and premises in said city in which there shall be a manufactory, or a dwelling house, or any other building, having rooms for the occupation of tenants, shall have, in connection therewith, a suitable earth closet, or suitable privy, or privies, fixed to discharge into some public sewer, or into tide-water, or into a suitable vault, as hereinafter provided.

SEC. 328. No privy shall hereafter be erected or suffered to remain in said city, unless so constructed that the filth therefrom shall be immediately passed into some public sewer, or where such filth will fall into tide-water and be effectually carried off daily by the tide, or having a vault sunk under the same to the depth of at least six feet of the full length and width of such privy, and closed up to the building on all sides.

No privy or cesspool shall hereafter be constructed in the city of New Haven upon a lot on a street in which there is a sewer or upon a street after the same has been sewerred, except such privy or cesspool be connected with said sewer and provided with efficient trap or traps and suitable means for flushing and cleaning the same, to the acceptance of the board of health.

SEC. 329. No privy vault or cesspool shall be suffered to be at any time filled within two feet of the general surface of the ground around such privy or cesspool.

No privy vault or cesspool shall be drained into any hole or excavation in the earth, without a permit therefor from the board of

health, but when the same requires cleaning, the contents shall be taken out and carted away as hereinafter provided.

The contents of any such vault or of any cesspool in said city, shall not be removed without a permit from the board of health.

SEC. 330. No privy or cesspool shall be kept or suffered to remain in such a condition as to be offensive, by its scent, to the neighborhood or to passengers in any street, except temporarily, while being cleaned, as hereinafter provided. Whenever any privy vault or cesspool situated upon a lot on a street in which there is a sewer, becomes dangerous to the public health in the opinion of the board of health, said board may order the same to be abolished and the contents to be removed, and the excavation to be filled with clean materials. In case the owner shall neglect or refuse to obey such order within seven days after receiving a written notice to do so, then the board of health may cause the same to be done at the expense of the owner.

SEC. 331. The board of health may designate and issue licenses, in accordance with the terms of the ordinances concerning licenses and permits, to a suitable number of trustworthy persons to engage in the business of removing the contents of privies and cesspools.

SEC. 332. Every person engaged in said business shall keep and use therein suitable conveyances for the carriage of such contents, with water-tight tanks or boxes, and close-fitting lids or covers, and shall at all times keep conspicuously on all such conveyances, in large letters and figures, the words "Night Soil," and the number of his license, all of which shall first be examined and approved by the clerk of the board of health, and certified by him on the license, but the board of health is authorized and empowered to issue a permit to any duly licensed person or persons to remove the contents of any privy vault or cesspool, at any season of the year, and at all hours of the day; *provided*, that such removal be effected by the use of odorless excavating apparatus.

SEC. 333. No person shall remove the contents of any privy vault or cesspool unless duly licensed as aforesaid, nor unless in a conveyance approved as aforesaid.

No privy vault or cesspool shall be cleaned, nor shall the contents thereof be carted through any street of said city, except between the first day of December and the 15th day of March then next succeeding, and between the hours of ten and four o'clock,

in the night season, except as aforesaid; *provided, however*, if it shall be necessary in the construction or alteration of any building, or in order to abate a nuisance, to remove the contents of any vault at any other time, the clerk of the board of health may issue a special permit therefor, prescribing the time and manner of such removal, as provided in the ordinance concerning licenses and permits.

SEC. 334. It shall be the duty of every person licensed as a night soil man, as aforesaid, to obey the orders of the clerk of the board of health in removing the contents of any vault, deemed to be a nuisance, and to leave the premises about such vault in a clean condition.

SEC. 335. No person shall deposit the contents of any vault in any highway or public grounds in said city, nor shall any person deposit the contents of such vault in any other place in said city, without covering the same with earth, and mixing therewith a sufficient quantity of deodorizing substance to destroy the effluvia therefrom.

SEC. 336. Every occupant of any house, building or tenement in said city shall keep the same, and the yard or premises connected therewith, in a clean condition, and free from filth and substances likely to infect the air of the neighborhood, and shall collect in one place in such yard or premises all the house dirt or offal, and when the same shall become offensive, as aforesaid, shall cause the same to be removed.

Any landlord, or agent of the landlord, having general charge of such premises, shall cause the same to conform to this ordinance, within three days after receiving notice to that effect from the board of health.

SEC. 337. No cattle or swine shall be kept within the limits of the city, without the licenses from the board of health, which board shall have power to grant licenses to suitable persons to keep cattle or swine in suitable places, provided that no licenses shall be granted to keep swine within 150 feet of the residence of any person other than the one to whom such license is granted.

SEC. 338. No person shall keep any guano or other fertilizing substance, in said city, for any purpose whatever, in such a manner as directly or indirectly to become offensive, by the effluvia arising therefrom, to any person residing in the neighborhood or passing in the street.

SEC. 339. No building or yard shall be used for the purpose of killing or dressing therein any animal or animals for hire or sale except on license to be issued by the board of aldermen after proper inspection and under such restrictions and regulations as the board of health may prescribe.

SEC. 340. No person shall hereafter kill or dress, or assist in killing or dressing in said city, any animal usually intended for food, except in a building duly licensed, as provided in the next preceding section, or upon the premises occupied by the family for whose private use such animal is intended.

SEC. 341. No building, tan vat, yard or premises shall be used for the purpose of tanning or dressing leather or skins, or for any part of such process except on license issued by the board of health after proper inspection and under such restrictions and regulations as said board may prescribe.

SEC. 342. No building or premises shall be used for the business of trying or rectifying lard, tallow, or any grease, or for the business of manufacturing soap or for storing undressed skins, except on license to be issued by the board of health after proper inspection and under such restrictions and regulations as said board may prescribe.

SEC. 343. No person shall place, leave or suffer to remain upon any premises in said city, any manure or fertilizing or refuse matter, in such manner or condition as to be offensive to those residing in the neighborhood or passing in the street, by odors arising therefrom.

SEC. 344. Every drain, sink and cesspool in said city shall be so constructed and maintained, that the same shall not injure the water of any well or become offensive by its smell, to the public.

No person shall use an abandoned well for a cesspool or privy vault.

SEC. 345. It shall be the duty of every owner of any premises in said city, and of the agent of such owner, having charge of such premises, and of every occupant of such premises, to keep and maintain the same and the street in front to its center, free from any violation of the foregoing provisions of this ordinance.

Every person violating any of the provisions of this chapter, or aiding in, or causing or procuring, any such violation, or knowingly suffering or permitting such violation, in or upon any premises belonging to him or occupied by him, or in the street adjacent

thereto, as aforesaid, or with property belonging to him, shall be deemed guilty of committing and maintaining a nuisance, and for every such violation shall forfeit and pay a penalty of not less than one, nor more than one hundred dollars, or such penalty as may be otherwise provided for the specific act by these ordinances.

SEC. 346. The board of health shall be charged with the duty of preventing, examining and abating such of the foregoing nuisances in said city as are prejudicial to health, and in the discharge of said duty, they shall have power, at all reasonable times with necessary assistance, to enter any premises in said city.

They shall make complaint to the city attorney of any violation of the foregoing provisions coming within their province.

SEC. 347. Whenever the director of public works shall have written notice from the chief of police of the existence of any of said nuisances in said city, if the same be in any public street, square or grounds, or in any place designated in section 318 of these ordinances, he shall cause the same to be abated or removed at once.

SEC. 348. The expenses incurred by said director of public works, or board of health, in abating or removing any of said nuisances shall be paid by the city. Such expenses shall be a charge against every person causing or procuring such nuisances to exist, and against every person suffering or permitting such nuisances to be done or to exist on any premises owned by him or under his charge, and may be recovered in behalf of said city, of such persons or any of them, jointly or severally, in any proper form of action.

It shall be the duty of the director of public works or clerk of the board of health forthwith to notify the corporation counsel, of any such expense, and the names of the persons chargeable therefor, and it shall be the duty of said counsel to proceed to collect the same.

SEC. 349. Any gas works or gas reservoir, now or hereafter erected in said city, which shall corrupt the water or pollute the air, so as to become offensive or injurious to any person residing in the vicinity thereof, or suffered to drain into any of the waters of said city, so as to corrupt the same, shall be deemed a common nuisance. The board of health of said city may order such alterations and precautions as they shall deem necessary to abate and prevent such nuisance, and any person or corporation using such

works or reservoir, and neglecting or refusing to conform to such order, shall forfeit and pay a penalty of one hundred dollars for every day of such neglect or refusal.

Any gas or other pipe, in any street of said city, in a leaky condition so as to contaminate the air or injure or endanger any tree in any street or public square, shall be deemed a nuisance, and the board of health, in case of contamination of air, and the director of public works, in the case of injury to trees, may make an order on the person or corporation using the same, to abate or prevent such nuisance, and any disobedience of such order shall be punishable as aforesaid.

SEC. 350. Every parcel of gunpowder, or petroleum oil or oil of similar dangerous character, or nitro-glycerine, had or kept in said city contrary to the ordinance concerning trade, shall be deemed a common nuisance. The mayor shall have power to summarily remove such nuisance or otherwise abate the same.

SEC. 351. The mayor may, upon the complaint of any person residing within three hundred feet of the place where any steam whistle is blown, prohibit the blowing of any such whistle at or near such place, for such time, and under such conditions as he may prescribe.

Every violation of such prohibition shall be deemed a common nuisance, and the person, persons or corporation, causing, suffering or permitting any such violation, shall forfeit and pay a penalty of twenty-five dollars for every such offense.

SEC. 352. Every hand-organ played more than thirty minutes in any one day, in any part of a public street between the same two cross streets, or more than fifteen minutes in front of the same premises, shall be deemed a common nuisance, and the person or persons playing the same shall forfeit and pay a penalty not exceeding five dollars for every such offense.

SEC. 353. Every person who shall open any public fire hydrant, except under authority of the fire department of said city, or under authority of some proper officer of said city, and every person who shall willfully and maliciously leave the water of any public hydrant running to waste, and every person who shall willfully and maliciously leave the water of any hydrant or pipe running in any public building or to the damage of others in any tenement building, shall forfeit and pay a penalty of five dollars for every such offense.

SEC. 354. Every person sprinkling or watering any street, gutter, sidewalk, or part of a building, shall avoid sprinkling or wetting passengers, or vehicles in the street.

Every person willfully or carelessly violating this section shall forfeit and pay a penalty of five dollars for every such offense, and the person or persons in whose employ such act was done shall forfeit and pay a like penalty.

SEC. 355. The board of health, when satisfied upon due examination, that a cellar, room, tenement or building in this city occupied as a dwelling place has become by reason of the number of occupants, want of cleanliness or other cause, unfit for such purpose and a cause of nuisance or sickness to the occupants or to the public, shall issue a notice in writing to the owner, or his agent, and occupants, requiring the premises to be put in proper condition, or if said board see fit, requiring the occupants to quit possession within such time as said board may deem reasonable.

If the persons so notified or any of them neglect or refuse to comply with the terms of said notice, said board may cause the premises to be properly cleaned at the expense of the owner, or may remove the occupants forcibly and close the premises, and the same shall not again be occupied as a dwelling place without the consent of said board of health. If the owner thereafter occupies or knowingly permits the same to be occupied without such permission in writing from said board, he shall forfeit not less than fifty, nor more than one hundred dollars.

CHAPTER XVIII.

OFFICERS.

SEC.		SEC.	
356-358.	Corporation counsel, duties of.	362.	Inspector of gas and water meters; how appointed; duties and fees.
359.	Traveling and other necessary expenses allowed, in addition to salary.	363.	Inspector of lamps; duties of and salary.
360.	Officer incurring expense in behalf of the city to notify corporation counsel; when.	364.	Mayor, etc., may offer reward in certain cases.
361.	Weighers, measurers, etc., how appointed; duties, etc.	365.	Special constables to provide themselves with badges, etc.
		366.	Shall wear the same when on duty.
		367.	Public office hours.

SEC. 356. It shall be the duty of the corporation counsel to draft all bonds, deeds, obligations, contracts, conveyances and agreements, or other legal instruments of whatever nature, which may be required of him by any ordinance or order of the board of aldermen, or which may be requisite to be done and made by said city, and any person or corporation contracting with the same in its corporate capacity, and which by law, usage or agreement said city is to be at the expense of drawing.

SEC. 357. It shall be the duty of said corporation counsel to commence and prosecute all actions and suits to be commenced in behalf of said city before any tribunal in this state, whether in law or equity, and also to appear in, defend, and advocate the rights and interests of the city, or any of the officers of the city, in any suit or prosecution for any act or omission in the discharge of their official duties, wherein any estate, right, privilege, ordinance or act of the city government may be brought in question; *provided*, that nothing herein contained shall be construed to change or abridge in any manner the duties of the city attorney, as the same are now defined and prescribed by law. Said corporation counsel shall keep a docket of all causes to which said city may be a party, and shall deliver the same, with all papers in his possession pertaining to his office, to his successor.

SEC. 358. It shall be the duty of said corporation counsel to appear before the general assembly of this state, or any committee thereof, whether of either or both branches of the same, and there, in behalf of the city, represent, answer for, defend and advocate the interests and welfare of said city, whenever the same may be directly or indirectly affected. He shall notify the mayor of said city, in writing, of any measure pending before said assembly for any chartered privileges likely to interfere with the rights, powers or duties of said city, and take such action in regard to the same as he may be advised by the mayor or board of aldermen.

SEC. 359. In addition to the salary allowed by law, whenever the attendance of the corporation counsel may be required, on official business, out of the city, his reasonable traveling expenses shall be allowed him, and he shall be allowed such other necessary expenses as may be incurred by him in the proper discharge of the duties of said office.

SEC. 360. It shall be the duty of the officer incurring any expense in behalf of the city, for which any person or corporation is liable to the city, forthwith to notify the corporation counsel, in writing, and to see that the proper certificate of lien is recorded, if the case admits of such lien.

SEC. 361. Said board of aldermen may appoint such number of weighers, measurers, surveyors and inspectors of different kinds of produce and merchandise, impounders and pound keepers, as they shall deem proper; and the duties and fees of every such officer shall be the the same *mutatis mutandis*, as the duties and fees prescribed by the statutes of this state for like officers, appointed by authority of the town of New Haven.

SEC. 362. Said board of aldermen may appoint one or more inspectors of gas meters and water meters, who shall have authority to inspect and test any gas meter or water meter in use in said city, and certify in regard to its good order, upon the application of the person or persons using the gas or water measured thereby, notice of such application having been left at the office of the proper gas or water company, at least forty-eight hours beforehand. And said court may prescribe the fees which said inspector may charge the person employing him for such inspection.

SEC. 363. It shall be the duty of the inspector of lamps to care for and supervise all the public lamps in the city of New Haven, cause the same to be located and removed, as the board of aldermen may order, and perform the duties of clerk of the standing committee on lamps and street lighting of the board of aldermen. Said inspector of lamps shall receive for services and expenses in the discharge of his duties the sum of twelve hundred dollars per annum, and while holding said office shall be engaged in no other business.

SEC. 364. Whenever any great crime or misdemeanor, or flagrant breach of the city ordinances is anticipated or has been committed in said city, and the offender has escaped or is unknown, the mayor, with the advice and consent of the board of aldermen, may, in the name and behalf of said city, publicly offer a reward not exceeding five hundred dollars for the detection, arrest, or conviction of the offender.

SEC. 365. Every special constable shall, at his own expense, provide himself with a metal badge, silver plated or nickel plated, in the form of a shield, not less than two inches long at the longest part, nor less than one inch and a half wide at the narrowest part, and lettered thus, in capital letters:

SPECIAL
CONSTABLE
NEW HAVEN

SEC. 366. Every special constable shall wear said badge affixed to some conspicuous place upon his outer clothing whenever executing the duties of his office, and for any neglect so to do shall forfeit and pay a penalty not exceeding five dollars, at the discretion of the court.

SEC. 367. All city officials, except the treasurer, and except where it is otherwise provided, shall keep their respective offices open for the convenience of the public for not less than seven consecutive hours, beginning at 9 o'clock a. m., on every week day, except public holidays, and on Saturdays said offices shall be closed at 1 o'clock p. m., unless the head of the department shall find it necessary to keep his department or office open later. The office of the treasurer shall be open from 2.30 to 3.30 p. m., every day except Saturday and public holidays, and on Saturdays from 11 to 12 o'clock noon.

CHAPTER XIX.

ORDINANCES.

SEC.		SEC.	
368.	Ordinances; general penalty for their violation.	372.	Repeal of ordinances not to take effect until published in newspapers.
369.	Breach of ordinance; penalty; how enforced by city attorney.	373.	Ordinances; how arranged and numbered.
370.	Payment of penalty not a bar to prosecution for subsequent breach.	374.	City clerk to send copy of new ordinances to city attorney, etc.
371.	Ordinances not to be construed to render city liable, except in certain cases.		

SEC. 368. Every person who shall violate any provision of any ordinance of said city, now or hereafter in force, for which no specific penalty is or shall be otherwise provided, shall forfeit and pay a penalty not exceeding one hundred dollars for every such violation, according to the nature and aggravation of the offense.

SEC. 369. The city attorney of said city may sue for, in any proper form of action, collect and receive, in behalf of said city, the penalty incurred by the breach of any ordinance of said city, or he may enforce the payment of such penalty by complaint and process to the city court as in criminal cases.

SEC. 370. No payment of any penalty, as aforesaid, shall be a bar to any suit or prosecution for a subsequent breach of the same ordinance, or for a continuance of the same breach; nor relieve any person from liability to pay any expenses incurred by any officer of said city; nor from liability to pay any damages consequent upon such breach, to the city or any person.

No payment of expenses incurred, and no revocation of license, or removal from office, shall excuse any person from liability to the penalty prescribed for the breach of any ordinance.

SEC. 371. No ordinance of said city shall be construed to render said city liable to any person or corporation for any breach of such ordinance, or for any injury to person or property any

further than such liability is expressly provided in such ordinance, or in the statutes of this state.

SEC. 372. No repeal of the whole or part of any ordinance of said city shall take effect until published in the daily newspapers, as prescribed for new ordinances, nor until one week after its passage.

SEC. 373. The ordinances of said city shall be entitled and alphabetically arranged, as nearly as practicable, according to the subject matter; and the sections of ordinances passed, in addition to, or in alteration of, any ordinance, shall be numbered continuously with the sections of such ordinance, unless the whole ordinance is revised and re-numbered.

SEC. 374. It shall be the duty of the city clerk, immediately upon the taking effect of any ordinance adopted by the board of aldermen, to prepare and distribute as called for, copies of such new ordinances, which copies shall be in such form that they can be inserted in the published book of charter and ordinances. The said clerk shall send a copy of each new ordinance to each department of the city government. Ten copies of the charter and ordinances which are last published shall be interleaved and preserved by the city clerk for future revisions.

He shall keep a record of all officers elected and of all appointments made by the board of aldermen or any of the departments of the city government.

CHAPTER XX.

PLUMBING.

- | SEC. | | SEC. | |
|----------|---|------|---|
| 375. | Board of health to license plumbers. | 387. | Traps and air pipes; regulations concerning. |
| 376. | License must be obtained before business may be carried on. | 388. | Waste pipes from refrigerators to have separate pipe. |
| 377. | Inspector of plumbing; compensation and duties of. | 389. | Pipes and other fixtures not to be covered until inspected. |
| 378-379. | Regulations concerning water closets. | 390. | Regulations concerning connections with water mains. |
| 380. | Regulations concerning soil and drain pipes under ground. | 391. | Steam, exhaust pipes, etc., must not connect with sewer or house drain. |
| 381. | Regulations concerning soil and drain pipes above ground. | 392. | Grease traps must be placed; when. |
| 382. | Branches of soil and waste pipes to be carried above roofs. | 393. | How privy vaults shall be connected. |
| 383. | Drains must have traps; how constructed. | 394. | Durham system may be used. |
| 384. | Regulations concerning rain water leaders. | 395. | How plumbing shall be tested. |
| 385. | Regulations concerning soil pipes, ventilators and chimney flues. | 396. | Material must be good and work thorough. |
| 386. | Regulations concerning joints and connections. | 397. | What persons may obtain license to lay drain pipes. |
| | | 398. | License may be revoked; fee for license. |
| | | 399. | Penalty. |

SEC. 375. The board of health may license proper persons to carry on the business of plumbing, after they have first obtained a license from the director of public works.

SEC. 376. No person shall carry on the business of plumbing, or do any plumbing work, in the city of New Haven, unless he shall have first passed a satisfactory examination by the board of health and received from them a license and registered his name and place of business in the office of the board of health; and

notice of any change in the place of business of a registered plumber shall be immediately given to said board.

SEC. 377. The board of health shall appoint one or more inspectors of plumbing, who shall be practical plumbers, and who shall not, while holding office, be interested directly or indirectly in the business of plumbing or the furnishing of plumbing materials or supplies. The inspector or inspectors so appointed shall hold office until removed by said board of health for cause, which must be shown. The compensation for such inspector or inspectors shall be determined by said board of health and be paid out of the city treasury. The inspector or inspectors so appointed shall inspect all plumbing work in the city of New Haven, in process of construction, alteration or repairs, and shall report to the proper authorities any violation of any law or ordinance of said city, relating thereto, and perform such other duties appertaining to the office as said board shall require.

SEC. 378. Every building in which plumbing arrangements are to be placed, shall be supplied with a water-closet for every fifteen persons, conveniently located and constantly supplied with water. All water-closets put in after the passage of these ordinances must be supplied with water from a special tank or cistern, not used for any other purpose, unless permission has first been obtained from said board of health to use other fixtures. They shall in all cases be connected directly with the general or common drain-pipe of the house. The use of pan-closets is hereby prohibited.

SEC. 379. When a water-closet is located ten or more feet from the soil or drain-pipe, the trap must be protected from siphonage by a special air pipe of not less than two inch bore. The common drain-pipe shall be separately and independently connected with the public sewer, wherever such sewer is provided, and if there is no such sewer, with a properly constructed cesspool of a capacity approved by said board.

When the water-closet is located in the cellar or basement, the trap must be protected from back air or siphonage by a special air pipe of not less than two inch bore and shall be carried up and out through the roof to a distance of not less than two feet above the roof, or more, if said board of health shall direct, or it may be connected with the soil-pipe above the highest fixture.

From all water-closets above the cellar or basement, the soil-pipe shall be carried up and out through the roof, undiminished in size, to a distance of not less than two feet above the roof, or more, if the said board of health shall direct.

Every water-closet shall be provided with a local vent; vents on all closets above the first closet, that enter main line, shall be twelve inches above closet, and shall be made of copper, cast-iron or galvanized iron. The diameter of this vent shall be: For one closet, not less than two inches; for two and not more than four closets, not less than three inches; and for any number exceeding four, such increased diameter as said board shall direct. They shall be carried upward and into a heated flue, provided for the purpose, or into the kitchen chimney, or in such other manner as said board, or plumbing inspector, shall direct.

SEC. 380. Where it is necessary to lay soil or drain pipe under the ground, when within the building said pipe shall not be less than four inches internal diameter, and it shall be of a quality known as extra heavy cast-iron pipe or vitrified clay pipe. The pipe passing through the walls of the building, and to a distance outwardly of at least five feet from the inside face of foundation walls, shall also be of extra heavy cast-iron pipe. All cast-iron pipe must be sound and free from holes and other defects, of a uniform thickness, and of not less than the weights specified below for the corresponding diameters, and before use shall be thoroughly coated inside and out with coal-tar or an equivalent substance.

INTERNAL DIAMETER.

Ordinary Cast-iron Pipe.		Extra Heavy Cast-iron Pipe.	
2 inches,	3½ lbs. per foot.	2 inches,	5½ lbs. per foot.
3 inches,	4½ lbs. per foot.	3 inches,	9½ lbs. per foot.
4 inches,	6½ lbs. per foot.	4 inches,	13 lbs. per foot.
5 inches,	8 lbs. per foot.	5 inches,	17 lbs. per foot.
6 inches,	10 lbs. per foot.	6 inches,	20 lbs. per foot.

When earthenware pipe is used inside of any building, it shall be made of the best hard burned vitrified clay and shall not be less than four inches in internal diameter; and all such pipes, with their fittings, must be sound, free from flaws, splits or cracks, laid on solid bottom with a groove for each hub, in order to give the pipe a solid bearing throughout its entire length, and with a

grade of not less than one-quarter inch to the foot. The space between the hub and pipe must be filled with the best Portland cement and clean, sharp sand, thoroughly mixed, dry, and water enough afterwards added to give it proper consistency, before applying between the hub and pipe. All joints must be carefully wiped out on inside of pipe, and all pipes must be laid as direct as possible, and all changes in direction must be made with curved pipes and all connections with Y branches and with one eighth or one-quarter bends; the main line must have a trap placed next inside the cellar wall with four-inch fresh air inlet just inside the water seal of trap, with a brass clean-out screw. This pipe shall be subject to the same test and rules as provided in section 395 of these ordinances; and all pipes must be tested to grade surface. No tile drain pipe shall be laid within five feet of the outside foundation wall of any building.

SEC. 381. Drain and soil pipes, above the ground, through which water and sewerage are carried shall be of sound iron, when within a building, and at least four inches in diameter; they shall be laid in trenches with uniform grade, or securely ironed to walls, or suspended to floor timbers by strong iron hangers (the space between which shall not exceed ten feet), or otherwise, as the said board of health shall direct. They shall have a fall toward the drain or sewer and soil pipes, shall be carried out through the roof, open and undiminished in size, to a distance of not less than two feet above the roof, or more, if said board shall direct. Changes in direction shall be made with curved bends, and all connections with pipes shall be made with Y branches.

SEC. 382. All branches of soil or waste pipe twelve feet or more in length, shall extend undiminished in size two feet above the roof, and not less than five feet above the top of any window situated within fifteen feet; but waste pipes may be connected with soil pipes above the highest fixtures. When two or more fixtures, such as sinks, bowls or baths, are used on one line, the waste pipe must be of iron and not less than two inches in diameter. All pipes must be at least two inches in diameter where they pass through the roof.

SEC. 383. There shall be a house trap on every drain at a point where it enters the building, which shall be furnished with a brass clean-out. There must also be provided an inlet at least four inches in diameter for fresh air to enter the drain on the house

side of the trap. This inlet shall be carried to the outer air opening at such distance from the nearest window as will be satisfactory to said board of health, or plumbing inspector, and at a point where it cannot contaminate the air supplied by the cold air box.

No cold air box for a furnace, steam or hot water heater, shall be so placed that it can draw air from any inlet pipe.

SEC. 384. Rain water leaders must never be used as soil, waste or vent pipes, nor shall any soil, waste or vent pipe be used as a leader. When the leaders are connected with the sewer they shall be separately trapped.

SEC. 385. Sewer soil pipes and waste pipe ventilators shall not be constructed of brick, sheet metal or earthenware, and chimney flues shall not be used as such ventilators.

SEC. 386. Joints shall be packed with oakum and run with molten lead, made tight and thoroughly caulked; and connections between soil pipes and water-closets must be made with brass or lead connections; and connections between lead and iron pipes shall be made with heavy brass ferrules properly soldered and caulked to the iron, and lead pipes must be attached to the ferrules by wiped joints.

SEC. 387. Every sink, basin, bath tub, water-closet, slop-hopper, and every fixture having a waste pipe shall be furnished with a trap. No waste pipes or traps from sinks or wash trays shall be less than one and one half inches in diameter, and shall not connect with the bend of water-closets. Sanitas traps may be used by permission of said board; when traps of other make are used they shall be protected from siphonage or air pressure by special air pipes of a size not less than the waste pipe, but air pipes for water-closet traps shall be of not less than two-inch bore, and must be connected to bend or trap under floor of water-closet. Air pipes shall be run as directly as practicable, and all branch air pipes from traps shall enter above the fixtures and shall be of not less than two-inch bore where they pass through the roof. Two or more air pipes may be connected together or with a soil pipe, but in every case of connection with a soil pipe, such connection shall be above the upper fixtures of the building. All back air vent pipes shall be of cast-iron or galvanized wrought iron. No air pipe shall be less than one and a quarter inch in diameter, and not more than twenty feet shall be run on any one line, over twenty

feet, one and a half inch in diameter, or more, as said board of health may direct.

SEC. 388. Waste pipes from refrigerators or other receptacles in which provisions are stored, shall not be connected with a drain, soil pipe or other waste pipe, but shall have a separate pipe, properly trapped, and discharge into an open sink; and in every case there shall be an open trap or sink between the trap and the refrigerator.

SEC. 389. Pipes and other fixtures shall not be covered or concealed from view until the work has been carefully examined by the plumbing inspector; and it shall be the duty of the plumber in charge of the work to notify the board of health when the work is ready for inspection. When necessarily placed within partition walls, soil and waste pipes may be covered with wood-work so fastened with screws as to be easily removed. Notice shall be given by the plumber in charge of any plumbing work to said board of health when such work is completed and ready for final inspection, and it shall then be the duty of the plumbing inspector to examine the same and, if found satisfactory, to approve it.

SEC. 390. All connections with water mains from the street main to the curb line shall be made with lead pipe, known as AA not less than one-half inch in diameter, or galvanized pipe, not less than one and one-quarter inches in bore, inside measurement.

SEC. 391. No steam, exhaust or drip pipe, or any overflow pipe from an expansion tank, shall connect with the sewer or with any house drain, soil or waste pipe; but blow-off pipes may discharge into a suitable tank or condenser, from which an outlet to the house drain must be provided.

SEC. 392. Suitable grease traps must be placed under the sinks of every hotel, restaurant, eating-house or other public place where cooking is done.

SEC. 393. Privy vaults shall not be connected with the sewer; but self-acting valves and hopper-closets, with open plumbing work, when located in a back yard away from the building, shall be arranged so that their contents will discharge directly into the sewer pipe. They shall receive their water directly from the street or house water mains; but they must be so arranged as to be thoroughly flushed, with a valve approved by the inspector, and protected from freezing, to the satisfaction of said board of health.

SEC. 394. The Durham system of plumbing may be used by permission from said board of health.

SEC. 395. All plumbing must be tested with the water test, when the weather will permit, otherwise by air pressure of not less than five pounds pressure, by the plumber in charge of the work, in the presence of the plumbing inspector. All defects must be remedied before said work shall be approved.

SEC. 396. All materials must be of good quality, and the work must be done in a thorough and workmanlike manner.

SEC. 397. All persons having a license from the department of public works to make sewer connections may obtain from said board of health a license to lay tile drain pipes in buildings under ground, upon complying with the provisions of section 398 of these ordinances.

SEC. 398. Every license granted under the provisions of these ordinances, by said board of health, may be revoked at the pleasure of said board. For every license granted under the provisions of these ordinances there shall be paid to said board of health for the use of said city, the sum of one dollar; every license shall expire on the first Monday in May.

SEC. 399. Any person violating any of the provisions of this chapter shall be fined not less than \$20, nor more than \$50 for every such offense.

CHAPTER XXI.

. POLICE.

- | SEC. | | SEC. | |
|------|--|----------|--|
| 400. | Board to inform itself as to efficiency of force; may approve bill for unusual injury, etc.; consultations in certain cases to be strictly confidential. | 406. | Property coming into hands of police; chief to keep record of, etc. |
| 401. | Meetings of board; shall audit bills monthly. | 407. | Ordinance book. |
| 402. | Members of force to give bonds, etc. | 408-409. | Duties of police force when snow is not removed from sidewalk, etc. |
| 403. | Duties of members of police force. | 410. | Penalty for fraudulently personating policeman or special constable; resisting officer, etc.; sundry provisions. |
| 404. | What shall be deemed sufficient cause for removal. | 411. | Penalty for giving information with intent to prevent the detection or arrest of any guilty or suspected person. |
| 405. | Incidental expenses of police force, etc.; chief to keep account of, etc. | 412. | Special constable may be removed; causes for removal. |

SEC. 400. It shall be the duty of the board of police commissioners to inform themselves of the fidelity and efficiency of every member of the force; to report to the board, in session, any information they may receive regarding the conduct of any officer, together with the names of their informants, and to encourage and sustain every police officer in the faithful discharge of his duty.

And they may, after due inquiry, approve a bill against the city to reimburse any police officer, in whole or in part, for any unusual injury to his clothing, received in the judicious and faithful discharge of his duty, or for any reasonable expense incurred by him in defending any suit for his acts done in the like discharge of his duty, and such bill, being approved and passed in the same manner as other bills, shall be paid by the city.

The consultations of said board, in reference to the conduct and merits of any police officer, shall be held strictly confidential and kept secret by the members of the board.

SEC. 401. The board of police commissioners shall meet steadily on the Tuesday preceding the first Thursday of every month.

They shall each month audit all bills created in and for said department, and cause those approved by them to be duly certified and passed over to the city clerk, for the approval of the board of finance.

SEC. 402. Every member of the police force of said city, appointed, reappointed or promoted, shall, before he enters on the duties of such appointment, execute and deliver to the treasurer of said city, a bond in the penal sum of five hundred dollars, in form and with surety satisfactory to the mayor of said city, conditioned for the faithful discharge of all his duties as such officer.

The surety in such bond shall be the owner or owners of real estate in said city, of the value of at least one thousand dollars, over and above all incumbrances.

But such bond shall not in any case be construed to create or add to the liability of said city for any act or neglect of such officer.

SEC. 403. It shall be the duty of every member of said force to conform strictly to the rules and regulations of the board of police commissioners and to the ordinances of said city; to use his best endeavors, at all times, to prevent crime, preserve the peace, maintain good order, and enforce the ordinances of said city; to secure the detection, arrest and conviction of offenders; to make all necessary and legal arrests; to encourage and assist any other member of the force in the discharge of his duty; to aid the mayor and execute his orders, as conservator of the peace of said city; to obey the lawful orders of his superior officers; to notify any person, whom he has reason to suspect of intending to commit a breach of any ordinance of said city, or other criminal act, to desist; to arrest without warrant any person for such offense, when taken in the act, or upon fresh information of another, and take the offender to a police station; to furnish to the proper prosecuting officer the names of witnesses and any information which may be useful in securing the conviction of offenders; to report to the chief, or other officer in charge of the police office, any information that may come to his knowledge, of the violation of these ordinances, or of any law, and any other matter that should properly come to the knowledge of the chief, to abstain from slander, to attend any fire, when not otherwise specially employed on duty, and assist in securing and protecting life and property, in preserving order, and in preventing the obstruc-

tion of the fire department in the performance of its duties, and to enforce the orders of the chief and his assistants in the premises; to report in writing to the chief of police or the board of police commissioners, any breach of duty, by any other officer, of which he has knowledge; to assist the coroner in the discharge of his official duties; and to perform any other duty to which he may be assigned under said rule or ordinances.

SEC. 404. The willful breach of any criminal law or of any ordinance of said city, or the willful breach or neglect of any rule of said police department duly in force, neglect of duty, inefficiency, intoxication, insubordination, the willful neglect or refusal to pay for personal or family necessities purchased while in office, so that the city is required to pay for the same by factorizing process, the willful and malicious circulation of any false report concerning any member of said force, or any disgraceful or improper conduct, calculated to impair the usefulness or efficiency of said force, when done by any member thereof, shall be deemed sufficient cause for dismissal of the offender, or for other punishment under said rules, according to the nature and gravity of the offense.

SEC. 405. The chief of police shall keep an account of all incidental expenses of the police force, and station houses, including any expenses incurred by any member of said force in pursuing any alleged offender, or in securing and placing him in a station house, and in any necessary expense incurred in recovering or restoring stolen property; and at the end of each month he shall make out a bill for the same against the city, certifying thereon that the same is correct, and present it to the board of police commissioners, furnishing vouchers if required; and such bill, being amended and approved by said board, shall be passed, approved and paid in the same manner as other bills against the city.

Any officer who shall have incurred any such expenses, shall forthwith make out a bill of the items and certify the same to be correct, over his own signature, and present the same to the chief. The chief shall cause any items of said bill, taxable by the city court, to be presented to said court for taxation, and in his said monthly bill he shall state what portion, if any, of such bill has been paid to any member of said force, and by whom.

In no case shall any police officer receive from the clerk of the city court any payment of expenses or fees, as an indifferent person or otherwise.

SEC. 406. The chief of police, under the direction of the board of police commissioners, shall cause a list and record to be kept of all property coming into the hands of the police, whether stolen, found or detained for evidence, with a memorandum of the date, estimated value and the officer or other person to whom it was finally delivered.

SEC. 407. The chief of police shall cause a separate book, to be known as the ordinance book, to be kept in the police office, and at all times open to the inspection of any officer of the city, in which shall be entered all reported breaches of the city ordinances, together with the date, the name of the owner of the premises, and other persons responsible for the same so far as known, the nature of the offense, and the names of one or more witnesses by whom the same may be proved, so far as can be ascertained.

SEC. 408. It shall be the duty of the chief of police to instruct the patrolmen and all members of the department to report all violations of these ordinances regarding the removal of snow and ice from sidewalks and gutters and the maintenance of sidewalks and gutters in a reasonably safe condition. Each member of the department shall make immediate report to the chief of police of all violations of these ordinances relating to sidewalks and gutters, together with the names of the person or persons who are responsible for such neglect, which report shall be entered in the ordinance book. Said police officer shall also notice and report upon the duration of such neglect.

The chief of police shall furnish a duplicate of such report to the city attorney and the department of public works to immediately ascertain the name or names of the owner of any such premises or of the agent having the same in charge, or of the tenant or occupant, in all cases where it appears that such name or names are unknown to the police, and to make a report thereof to the chief of police and to the city attorney.

SEC. 409. Such police officer shall forthwith leave upon said premises, or with the owner of the same or his agent, or at the residence or usual place of business of such owner or agent, a written, printed or verbal notice that the responsible person has incurred the penalty prescribed by sections 524 and 526 of the ordinance concerning public works, and will incur a further penalty of two dollars for every hour of further delay to comply with said ordinance, and that said penalty must be paid to the city attorney.

SEC. 410. Every person who shall fraudulently represent himself to be a policeman, or special constable; or shall fraudulently raise an alarm for the police, or fraudulently make use of any badge, call or signal adopted by the board of police commissioners for the use of the police; or resist, hinder, obstruct, villify or abuse any police officer or special constable in the discharge of his duty; or raise any call, or use any signal to draw a crowd, or call help, for the purpose of hindering or obstructing the mayor or any police officer in the discharge of his duty, shall forfeit and pay a penalty of not less than five, nor more than one hundred dollars for every such offense.

SEC. 411. Every person who shall, with intent to prevent the detection or arrest of any person guilty or suspected of any offense, give any information or cause any information to be given to another, regarding any criminal complaint, or any order to any member of the police force, or any intended action of any police officer, or of the proximity, position, or approach of any police officer, shall forfeit and pay a penalty of not less than five, nor more than one hundred dollars for every such offense.

SEC. 412. Any special constable, appointed by the board of police commissioners, may be removed by said board at any time, and if he shall willfully violate any ordinance of said city, or shall exercise his office to aid, protect or secure any other person in violating any such ordinance or any law of this state, he shall be removed from said office.

POLICE ALARM TELEGRAPH.

SEC. 413 (a). No person shall cut any police alarm telegraph wire, or shall destroy, deface, or in any manner injure the police alarm telegraph, or any part thereof, in said city, or any of the appurtenances of the same, or shall interfere with, or do anything to the same, so as to prevent or delay the proper or timely use thereof.

(b). No person shall open any signal-box connected with the police alarm telegraph except by the authority of, and with the key furnished by, the chief of police.

(c). No person shall have, or keep in his possession without permission from the chief of police, any signal-box key.

CHAPTER XXII.

PUBLIC CONVEYANCES.

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| 417. Passenger vehicles to have card inside containing name of owner, number of license and section 431. | 432. Tariff of rates for express wagons, etc. |
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441. Power of mayor to direct approach to landing, etc., and route to be followed on special occasions.

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415. Ordinance de public conveyance to be printed and distributed free.

SEC. 414. All vehicles which are let for hire for the conveyance of passengers, which shall require the employment of a driver who is not the hirer of the team, and all vehicles used or employed for the transportation of articles from place to place in said city for hire, shall be subject to these ordinances, and to the ordinance concerning licenses and permits; except that this ordinance entitled "Public Conveyances" shall not apply to any cars run upon rails in the streets of the city under charter rights.

SEC. 415. The chief of police shall detail a sergeant of police as "inspector of public conveyances." Said chief of police shall, upon due application, and upon the recommendation of said inspector endorsed upon said application, issue a license, as provided in the ordinance concerning licenses and permits, to the owner of any suitable vehicle. No vehicle shall be licensed which is not suitable to the uses for which the license is applied. Each license shall designate the use for which the vehicle is licensed.

SEC. 416. Every licensed vehicle for the carriage of passengers shall have its number painted upon it on the pole or shafts in a manner approved by the said inspector. No person shall drive such vehicle until a number corresponding with the number of the license has been painted upon it. Every such vehicle which shall solicit passengers in the public thoroughfares, or shall be waiting on the public stand, shall also have lamps on each side, which lamps shall be kept trimmed and burning while at said stand, during the night season, and during employment. All licensed passenger vehicles which shall solicit passengers in the public thoroughfares, or shall be waiting on the public stands, shall also have the number of the carriage license in figures in the Arabic character of not less than two inches in size, cut in stencil or painted in black on glass on the side of both lamps towards the sidewalk, so that the number can be plainly seen therefrom. The number on said lamp shall also correspond with the number of the license and the number painted on the pole or shafts.

SEC. 417. Every licensed passenger vehicle shall at all times have conspicuously posted on the inside of the vehicle, at least two

feet above the seat, in a manner approved by the inspector and so as to be easily seen and read by the passengers, a card containing the name of the owner, number of the license, and a copy of section 431 of this ordinance.

SEC. 418. Every licensed vehicle, except those for the conveyance of passengers, shall have the name of the owner, and the number thereof, distinctly and legibly painted in a light color on a dark ground on the exterior of each side of the vehicle, in characters not less than four inches in size, in a number approved by said inspector.

SEC. 419. Said chief shall, in like manner, upon the recommendation of said inspector endorsed upon the application, license drivers, on being satisfied that each licensee is capable, discreet, temperate and honest. Said licensee shall be numbered, and shall specify the kind of vehicle which the licensee is authorized to drive.

SEC. 420. Every licensed driver shall at all times while employed or seeking or waiting for employment, or in any manner in charge of a passenger or express vehicle, wear upon his left breast, exposed to view, a metal badge two inches in diameter, on which shall be stamped or cut the number of his license in figures at least one and one-half inches in length. No driver shall use the badge of another driver. Every driver shall give to any one requiring it, his name and residence, and the name and residence of the owner of the vehicle, and shall show his badge.

SEC. 421. Said chief may, on due application, transfer the license for any vehicle to another owner of the same, and the license of one driver to another driver on application of the person who paid for the license.

SEC. 422. The following places in said city are designated as the stands whereat said public carriages for the conveyance of passengers may at all times stand waiting for employment, except on the Sabbath, viz.:

1. College street, west side, between Chapel and Elm streets.
2. Chapel street, north side, between College street and a point one hundred feet east from the northeast corner of College and Chapel streets.
3. Center street, south side, from Church street to Gregson, from 10 o'clock p. m. to 6 o'clock a. m.
4. Center street, north side, two hundred feet east from Church street, from 10 o'clock p. m. to 6 o'clock a. m.

5. Union street, east side, between Fair and Wooster streets.

6. State street, both sides, south of Custom House square, and Union avenue, southeast side, between State street and the gentlemen's entrance to the passengers' waiting room of the New York, New Haven and Hartford Railroad company's depot, leaving such an opening, not less than twenty feet in width, opposite the mail and baggage gate, north of the depot, as may be designated, pursuant to the provisions of this ordinance; also the northwest side of said avenue, between State street and a point ten feet northerly of the crosswalk between the east side of Meadow street and the depot; all the aforesaid parts of State street and Union avenue (with the exception aforesaid) shall also be a stand for express wagons, baggage wagons, omnibuses and stages, except that part of the northwest side of said avenue which is south of the northerly side of said gentlemen's entrance to the passengers' waiting room, which shall be exclusively for public carriages.

There shall be open passways ten feet in width across the sidewalk between the carriage-way of Union avenue and the two entrances to the main waiting room of the passenger depot; also the same width of open passways between said carriage-way and the large entrances to the cars, through and near each end of the depot building. The curb end of the center line of each of said four passways shall be at the point on the curb equi-distant from the two iron columns opposite each of said entrances. Next on each side of said passways a space three feet in width from the carriage-way side of the curb to a line to be designated by railing, paint or otherwise, shall be and is hereby set off as stands where drivers of public passenger carriages and express or baggage wagons may stand and solicit employment. The length of said spaces or stands shall be as follows, viz.:

On the southwesterly side of the open passway to the entrance to the railroad, near the southwesterly end of the depot building, the length of the stand is and shall be twenty feet, and on the northeasterly side of the same passway the length of the stand is and shall be twelve feet. On each side of the two open passways to the two entrances to the waiting room of the depot the length of each of the stands is and shall be twenty feet. On the southwesterly side of the open passway to the northeasterly entrance to the railroad, near the southeasterly end of the depot building, the

length of the stand is and shall be twenty feet, and on the north-easterly side of the same passway the length of the stand is and shall be fourteen feet. And in the immediate vicinity of said passenger depot no owner, driver or other person shall solicit, negotiate for or receive employment for a public carriage of any description except while standing on and within the lines of one of the stands above designated.

Such openings shall be left at the railroad depot in Union avenue, and at any other railroad depot, as shall be designated by the chief of police, with the advice and consent of the mayor, for the accommodation of the United States mail wagons.

SEC. 423. The following places in said city are designated as stands for express and baggage wagons exclusively:

The west side of Union street, between Wooster and Fair streets; Chapel street, north side, between College street and a point 228 feet west of the west line of the roadway of Temple street.

The driver of any such express or baggage wagon shall be required to remain upon said wagon or alongside thereof while said wagon shall remain upon the public stand.

SEC. 424. The chief of police shall fix and determine the number of vehicles which can be reasonably accommodated at the same time at any of said stands.

No such vehicle shall stand abreast or alongside of another, upon, at or near any of said stands, but all such vehicles, when upon any stand, waiting for employment, shall be drawn up in a single line, with the right side next to the sidewalk, and as near thereto as practicable, and so as not unnecessarily to obstruct the public travel.

Every driver resorting to such stands shall close up in line from the front in such a way as to accommodate the full number, and any driver resorting to a stand, and finding it full, shall drive immediately away.

SEC. 425. In case any of said stands shall be required for any work of public improvement, the mayor of said city may designate other suitable stands as substitutes therefor. And he may designate other suitable stands for hacks, omnibuses, baggage wagons or drays, or vehicles of like character, whenever in his opinion the public interest shall require it, causing the city clerk to make a record of the same.

SEC. 426. No licensed vehicle shall stand in any street in the city, waiting for employment, except at stands designated in these ordinances or by their authority. Nor shall any driver be at any time more than ten feet from his vehicle while it remains upon the public stand, except where special places are designated in these ordinances for drivers to solicit employment.

No person shall solicit, negotiate for, or receive employment, for any licensed vehicle upon private property, except with the consent of the owner or manager of the property, provided that nothing herein contained shall be construed to prevent any such vehicle from standing in front of the premises of the owner, on the same side of the street, or in front of the premises of any other person or persons by particular agreement with such person or persons, and with the consent in writing of the chief of police.

SEC. 427. No vehicle, or the animals attached thereto, shall stand within ten feet of any crosswalk.

Openings of not less than twenty-five feet shall at all times be left on each side of the entrance designated for passengers at any depot, and of the main entrance to any place where there may be a large gathering of people, for the accommodation of vehicles arriving and departing with passengers; and the driver of any carriage, public or private, discharging or receiving passengers at such policeman may so move such vehicle, and the horses attached drive immediately away. No driver shall leave his seat upon the vehicle which he drives while he remains in line with other carriages while waiting to discharge or receive passengers.

SEC. 428. Any policeman may direct any driver to move his vehicle or horses so as to conform to these ordinances, and on his neglect or refusal, or in case any vehicle be found without a driver, such policeman may so move such vehicle, and the horses attached thereto. And it shall be the duty of every driver to comply with the reasonable direction of any police officer, so as best to accommodate the public.

SEC. 429. The officers of any railroad or steamboat company may designate a particular place, in their depot or premises, for each owner or driver of a passenger carriage or baggage wagon, in which he may stand waiting for employment. No such owner, driver or other person, shall solicit or negotiate for employment while the passengers are passing into the street from any car or steamboat, unless such owner, driver or other person, shall be

standing in the place assigned in accordance with this ordinance, or sitting upon his carriage or wagon. No such owner or driver shall while employed, or waiting for or seeking employment, use any indecent, profane, insulting or loud language, or utter any shout, or touch, or get in the way of any passenger, or seek, or negotiate for any employment in any other way than by being in his place and showing his card, or interfere with any owner or driver negotiating for employment, or be guilty of any noisy or disorderly conduct likely to annoy others.

SEC. 430. Baggage must be delivered at and taken from the place, and carried out or in by the passage designated by the proper officer of any railroad or steamboat company.

SEC. 431. No owner or driver of any vehicle for carrying passengers shall charge, demand or in any way receive for carrying passengers within the limits of the city as the same existed on January 1st, 1897, more than the following prices or rates, viz.:

For the carrying of a single passenger with one trunk and hand baggage from any railroad depot, steamboat landing, or other point or place within said limits to any railroad depot, steamboat landing, or other point or place within said limits, fifty cents. And for each mile or fraction thereof beyond said limits, and within said city, twenty-five cents additional.

For the carriage of two persons, with the amount of baggage stated above for each, from any railroad depot, steamboat landing, or other point or place within said city limits as the same existed on January 1st, 1897, to any other point, place or destination within said limits as stated above, at the same time, seventy-five cents, and for each additional passenger and his baggage as above stated, twenty-five cents. And for each mile or fraction thereof beyond said limits and within said city, twenty-five cents additional for each passenger. For each additional trunk, ten cents.

For carrying a child over four and under ten years of age, one-half the above rates. For a carriage to and from a party or a wedding within the city limits, three dollars. For a carriage to and from a funeral, three dollars. For the use of a hack or similar vehicle, and two horses, two dollars per hour, and at that rate for fractions of an hour.

SEC. 432. No owner or driver of any baggage wagon or express wagon, or other vehicle for the carriage of baggage or goods of any kind from place to place in said city limits, shall charge, demand or in any way receive more than the following rates or prices, viz.:

For the carriage of any trunk, chest, or other article of baggage, or any box, bundle or package of goods of any kind not exceeding sixty pounds in weight, from any point or place within the city limits as the same existed on January 1st, 1897, to any point or place within said limits, twenty-five cents, and each mile or fraction thereof beyond said limits and within said city, ten cents, and above that weight two cents for every additional ten pounds or fraction thereof. For each additional trunk, chest, box, bundle, package, or other article, ten cents.

For the use of an express wagon or baggage wagon, for one entire day, five dollars, and at that rate for half a day.

For the use of the same by the hour for any period of time less than half a day, fifty cents per hour, and at that rate for fractions of an hour.

For moving a chest of tools from any point or place within said city limits as the same existed January 1st, 1897, to any point or place within said limits, fifty cents, and for each mile or fraction of a mile beyond said limits, ten cents additional.

The limits of the city as they existed on January 1st, 1897, are for practical purposes, as follows:

Quinnipiac river on the east, Hamden on the north to a point 600 feet west of the center line of Dixwell avenue, thence parallel with 600 feet from Dixwell avenue, to a point 200 feet northerly of the center of Munson street, thence westerly to center of Whalley avenue bridge over West river, thence following the West river to the harbor.

SEC. 433. Any person who shall employ any licensed vehicle in said city to carry any person or property, and shall refuse to pay the just and established fare therefor, or the fare previously agreed to be paid therefor, shall forfeit and pay a penalty of not more than five dollars for every such offense.

SEC. 434. Every such driver shall take the baggage or other goods of the person for whom he may be employed, from the place in which it may be deposited, and deliver the same upon the steamboat or to the proper baggage master, or carry the same into any part of the basement, first or second story of the building to which it is destined, as the case may be, without extra charge.

SEC. 435. Every driver of any licensed public vehicle shall, while in a stand for employment, be held to accommodate, at all reasonable times, those who may apply to him, in the order of such

application, and any such driver who shall refuse to accommodate any such person or persons, as aforesaid, at such rates of fare as are provided in this ordinance, shall forfeit and pay a penalty of five dollars for every such offense.

SEC. 436. Every such driver being engaged to go to any place in said city for employment, and going to such place, but failing of employment without any fault of his own, shall be entitled to demand and receive of the person so engaging him one-half of the fare established as aforesaid.

SEC. 437. Every person who shall willfully obliterate, deface, remove, reverse, cover over, or by any contrivance conceal or render illegible any card placed in a licensed vehicle for passengers, or any number or numbers in any licensed vehicle, as provided in this ordinance, or transfer such card or number to another vehicle, shall forfeit and pay a penalty of not more than five dollars for every such offense.

SEC. 438. Every owner of any vehicle who shall use or employ the same for hire, or suffer the same to be used or employed, without a license in force therefor, or without the number of the license painted on the pole or shaft to the approval of the inspector, or without the number on the lamps when required by this ordinance, or where there are no lamps, on the sides of the vehicles as required by the inspector, or the card required by section 417 posted inside the vehicle, or without a license in force for the driver, shall forfeit and pay a penalty of five dollars for every day in which the same shall be so used or employed.

SEC. 439. Every person who shall act as driver of or solicit employment for any vehicle included within the requirements of these ordinances, or who has not himself a license in force to drive the kind of vehicle which he is driving or soliciting employment for, shall forfeit and pay a penalty of not less than one nor more than five dollars for every such offense.

SEC. 440. Every person guilty of any breach or non-compliance with this ordinance, for which no penalty is provided aforesaid, shall pay a penalty of not less than one nor more than ten dollars for every such offense.

SEC. 441. In addition to the penalties aforesaid, the license for any of the aforesaid vehicles may be revoked if it becomes unfit for the purposes for which it is licensed, or for any failure to comply with this ordinance, permitted by the owner thereof, and the

license of any driver may be revoked for any failure by him to conform with this ordinance, or with the ordinance prescribing the manner of driving in the streets of said city, or for any other mis-construed to lessen the duty of any police officer to note and report driver.

The chief of police may at any time revoke any such license as aforesaid, subject to appeal as provided in the ordinance concerning licenses and permits, and until such revocation is disapproved by a vote of the board of aldermen, the license so revoked shall cease to be in force.

• SEC. 442. It shall be the duty of the inspector of public conveyances to inspect all vehicles for which application is made for license, and to report upon the same to the chief of police.

The inspector shall have the right to visit all places where licensed vehicles are kept, and to inspect such vehicles wherever found. He shall also see that the drivers obey all the provisions of this ordinance and of other ordinances of the city. He shall report forthwith each and every breach by the licensee of the conditions of such license, or of any ordinance relating to such business, and to report at least once each year whether all such vehicles and drivers are conforming to law; which yearly report shall be kept by the chief on file. But this section shall not be construed to lessen the duty of any police officer to note and report any breach of law.

SEC. 443. It shall be the duty of every railroad company and of every steamboat company to keep a table containing the aforesaid rates of fares, and a notice of violations of the same may be complained of at the office of the chief of police, conspicuously posted in their depot or landing place in said city; and they shall also keep scales for weighing baggage of passengers.

SEC. 444. The mayor shall designate by an order to be recorded in the city records, the direction from which drivers shall approach any place of landing, or receiving passengers or goods to claim precedence in the order of their arrival, and such order shall have all the force and effect of an ordinance.

The mayor may make special orders relating to large gatherings, by advertisement in one or more local papers, designating the route by which all carriages, both public and private, shall approach to leave its passengers and call for them, and if necessary extra policemen shall be detailed to direct the line of carriages

while waiting, and to designate the position which each carriage shall occupy. And if any owner, driver or other persons having the care of any such carriage shall neglect or refuse to obey such directions, or be guilty of a breach or non-compliance of any part of this section, he shall pay a penalty of not more than five dollars.

SEC. 445. The chapter of ordinances with these amendments headed "Public Conveyances" and the part of section 313 relating to licenses of public conveyances and drivers, shall be printed and distributed free by the city to all persons licensed to drive passenger vehicles.

CHAPTER XXIII.

PUBLIC WORKS.

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| 454. Before sewer is contracted for; duty of city engineer. | |
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| | STREETS. |
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| 473. Excavations to be refilled under supervision of director. | 492. Owner of land abutting on street to erect fence when ordered so to do. |
| 474. Duty of person taking up pavement to restore same. | 493. No person to make a stand in any street or square for the exercise of any business or calling, unless licensed by the mayor. |
| 475. Department of public works to restore pavement with cement or concrete foundation. | 494. Cleaning of carpets, etc., in streets, lots, or fields, prohibited. |
| 476. If work of restoring pavement is improperly done, power of director in the premises. | 495. Games of ball or quoits, and throwing of stones, shooting with bow and arrow and flying kites, and coasting upon a sled in streets prohibited. |
| 477. Power of director to revoke licenses. | 496. Fireworks in streets without permission of mayor prohibited. |
| 478. Excavations in streets to be enclosed and lighted. | 497. Injuring or defacing works of ornament or utility erected by the city. |
| 479. Timber, etc., carted through streets to be supported on wheels, etc. | 498. Wooden awnings or sheds over street or sidewalk. |
| 480. Cutting of sods or turf in streets, etc., prohibited. | 499. Manner of abating above nuisance. |
| 481. Excavated material not to be taken from streets. | 500. Awning posts. |
| 482. Coal or fire wood not to remain in streets; sawing or splitting wood in streets. | 501. Removal of mere-stones. |
| 483. Streets and squares not to be obstructed. | 502. Vehicles not to be left in streets unless attached to animal. |
| 484. Drawbridges to be kept closed; when. | 503. Horses and vehicles not to be left on crosswalk. |
| 485. Attempts to force a passage; how punished. | 504. Driving faster than six miles an hour prohibited. |
| 486. Regulations concerning drawbridges; when open, etc. | 505. Animals attached to vehicles not allowed to move through the streets without a driver. |
| 487. Filth, etc., not to be placed in streets. | |
| 488. Pieces of fruit on sidewalk. | |
| 489. Handbills, etc., not to be distributed or dropped in streets. | |

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506. Street cars, animals, or vehicles not to stand over crosswalks, except mayor may designate places where street cars may stand waiting for passengers.
507-508. Ambulances have the right of way.

SIDEWALKS.

509. Obstructions on sidewalks.
510. Show-bills, show-board, merchandise, etc.; not to be placed on sidewalks; penalty.
511. Regulations concerning signs, merchandise, awnings, etc.
512. Wheelbarrows, bicycles, etc., on sidewalks; horses not to go or stand on sidewalks.
513. Assembling idly or remaining in crowds on footways, etc., forbidden.
514. Spouts and drains over sidewalks prohibited.
515. Owner, etc., of land bordering on streets to repair defects in sidewalk and remove obstructions; if neglected, may be done by director of public works.
516. Manner of giving notice.
517. Brick sidewalks prohibited.
518-519. Cellar doors and cellar doorways.
520. Trap doors and coal holes not to be left open.
521. Flights of steps, etc., descending from or near the line of any street to be covered or enclosed with a permanent railing, etc.
522. Excavation for a cellar near sidewalk to be properly guarded by railing.

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523. The upper surface of coal-hole covers, etc., to be roughened.
524. Snow to be removed from sidewalks.
525. Removing snow, ice or sleet from sidewalks; manner of giving notices.
526. Gutters to be kept clean.
527. No snow to be thrown from private property into street.
528. Ice thrown into the streets from sidewalks to be broken into small pieces.
529. No salt to be put on sidewalks.
530. The word "Street" defined.
531. Telford pavement not to be watered except by licensed cart.
532. Revocation of such license; appeal.
533. Telford pavement not to be sprinkled except by authorized sprinkler.
534. General penalty.
535. Regulations concerning building of bridges for railroad purposes.

TREES.

536. Department of public works to have the care and charge of trees in the streets and public squares.
537. Penalty for injuring or destroying trees or shrubs in streets or public squares.
538. Penalty for fastening horse to shade tree, etc.
539. Fixtures around trees for the purpose of protecting the same; penalty for injury to, etc.
540. Penalty for attaching anything to trees.

SEC. MISCELLANEOUS.

561. Nine hours to constitute day's work for laborer.

562. Employes to be paid weekly.

SEC.

563. Fertilizers taken from streets to be delivered to park board.

564. Money for cobble gutters, etc., to be paid to collector.

DIRECTOR OF PUBLIC WORKS.

SEC. 446. The director of public works may, without the order of the board of aldermen, cause such number of crosswalks to be constructed in said city as the public necessity and convenience may require.

The director shall, each month, examine all bills belonging to the department of public works, and cause those approved to be duly certified and passed over to the city clerk for the approval of the board of finance.

SEC. 447. The director of public works shall keep a time-book in which shall be entered the names of all workmen employed by the department of public works, also the names of all carmen or teamsters employed, the times of their employment, and the amount of wages due. He shall keep a set of books in which shall be entered the amounts due the city from individuals, for laying walks, setting curbs, removing snow, etc. He shall preserve and file all papers and books connected with the department not otherwise provided for.

SEC. 448. The director of public works shall have the care and custody of all property left on the sidewalks or public lands either by summary process or in other ways, and is hereby given the same rights and duties over said property and shall dispose of the same in the manner provided for selectmen in disposing of property left by summary process as directed in the general statutes.

CLERK.

SEC. 449. The clerk of the department of public works shall keep the records of the proceedings and transactions of said department, and shall carefully file and preserve all books and papers connected with or transmitted to said department for execution.

He shall keep a set of books, in which shall be entered a journal and ledger account of the moneys expended for keeping the streets, avenues, parks, etc., in repair, the amount expended for new sewers, and pavements, and repairs thereof, for work on

bridges, and all other expenditures connected with said department.

He shall keep a contract book, in which shall be entered the contracts awarded by said department, their nature, amount, and to whom awarded.

He shall keep a bill-book, in which shall be entered all bills approved by said department, to be transmitted to the board of finance.

He shall sign and certify to all notices (except where otherwise provided for in the charter) to parties in interest, for encroachments from streets, or laying sidewalks, setting curbs, and all notices emanating from or transmitted to said department of public works for execution.

CITY ENGINEER.

SEC. 450. The city engineer, in addition to the duties imposed upon him by the charter and ordinances, shall execute all orders he may receive from the department of public works, the mayor, the board of aldermen, or any committee thereof. He shall have the general care and charge of maps, profiles, and surveys belonging to said city, and shall carefully preserve such as may be made by him, or come into his care and charge. All maps prepared for proposed public improvements, and which may be referred to in a layout or other record, shall be numbered and signed by the city engineer. No map, profile, survey, or record relating thereto, belonging to said city, shall be taken from the office of the city engineer, except by his permission.

It shall be the duty of the city engineer to make all necessary maps for the use of the board of assessors. He shall also, whenever requested by the mayor or corporation counsel, make all maps, surveys and plans necessary in the trial of any case in which the city is a party. He shall have the general charge, subject to the orders of the committee on numbering streets, of the numbering and renumbering of streets, and shall keep a record of all streets numbered.

POWER OF MAYOR TO REGULATE PROCESSIONS, ETC.

SEC. 451. The mayor of the city of New Haven shall have the power to make regulations for the safe and orderly passage of all processions, parades, and other public displays within said city, and may forbid the running of electric cars and other vehicles

upon the streets where, and at times when, such processions, parades and other public displays are to take place. Said regulations shall be published in one or more of the newspapers of said city at least twenty-four hours before the taking place of such procession, parade, or other public display to which said regulations shall be intended to apply.

SEC. 452. The police department of said city shall have power to enforce such regulations, and any violation of the same shall be punished in the manner provided by the ordinances of said city.

SEWERS AND DRAINS.

SEC. 453. Public sewers shall, as far as practicable, be laid along the center lines of streets, and it shall be the duty of any person or corporation laying or re-laying any gas, water, or other main, in any street of said city, to leave at least four feet on each side of said center line free for the insertion or repair of a public sewer, unless the director of public works shall, upon written application therefor, allow a different location.

SEC. 454. Before any public sewer shall be contracted for or built, the city engineer shall cause to be prepared the necessary plans for the work, and profile showing the grades of the street and sewer, the depth of such sewer below the surface of the street, and the height above mean high water mark, as established by the United States Coast Survey, and used as the city datum. And when such sewer is completed, he shall cause a map to be prepared, showing the location and size of the sewer, and the location of the man-holes, basins, culverts, branches for house connections, and other appurtenances. He shall also cause a map to be prepared showing the situation, dimensions, and ownership of all lands adjoining the street in which said sewer is laid, as provided in the ordinances concerning assessment.

SEC. 455. No person shall connect any private sewer or drain with any basin, culvert, or public sewer or drain laid for the purpose of surface or sub-soil drainage, except by a special license granted by the director of public works.

No person shall conduct any sewer or drain, or suffer the same to be conducted from premises belonging to him, or under his control, under or over the surface of the ground, into any street where there is a public sewer, without having the same properly connected with such sewer.

SEC. 456. No exhaust from steam engines, blow-off from steam boilers, or water above one hundred and forty degrees Fahrenheit in temperature, shall be discharged into any public sewer, or private sewer or drain connecting with a sewer.

SEC. 457. No person shall connect any cesspool or detached privy vault with any public sewer, except upon permission, granted by the director of public works, therefor, for good cause shown, but in no case shall any cesspool or detached privy vault, that is not water-tight, be connected with any public sewer. In all cases where a cesspool or privy vault shall be connected with a public sewer, as provided in this section, the discharge pipe from such cesspool or vault shall be trapped, and located as directed and approved by the city engineer.

SEC. 458. No private catch-basin or cesspool shall be constructed or placed within the limits of any street in the city of New Haven.

SEC. 459. No person shall connect with any public sewer any private sewer or drain, laid for surface or yard drainage, except the same be provided with a properly trapped basin, sufficient in size and depth to retain sand or other injurious substances, and to prevent the same from being carried into the public sewer.

SEC. 460. It shall be the duty of the owner or owners of the premises to which any drain connected with any public sewer shall be attached, to employ a person duly licensed by the director of public works, in making and laying such connection with such public sewer, and to conform to the directions of the city engineer in regard to the manner in which such connection shall be made, and said drain made and laid, and to keep said drain at all times in good repair.

The city engineer shall have power, and it shall be his duty, under the direction of the director of public works, to discontinue, stop up, and prevent from discharging into any public sewer, any private sewer or drain aforesaid which is not laid or kept in repair to his satisfaction.

SEC. 461. No connection shall be made with any public sewer otherwise than by drain or iron pipe, six inches or less in diameter, except by the consent of the director of public works.

SEC. 462. Private sewers or drains shall be laid to a uniform grade and line, and with a fall toward the public sewer of at least one foot in fifty feet. A suitable trap shall be located in every

private sewer or drain which connects with a public sewer, at some convenient point between the public sewer and the house or building, and that portion of the private sewer or drain, thus disconnected, shall be properly ventilated. In all cases, the work shall be as directed or approved by the city engineer.

SEC. 463. Not more than one house or building, or single house in a block, shall be connected with a public sewer through any one drain, except by a special permit from the director of public works. Whenever such permission is granted, the work shall be done as directed or approved by the city engineer.

SEC. 464. In opening any street or other public way for the purpose of laying a sewer connection or drain, all materials for paving or hardening the roadway must be removed with the least possible injury or loss and, together with the excavated material from the trenches, must be placed where they will cause the least possible inconvenience to the public.

Whenever the sides of the trenches will not stand perpendicular, sheeting and braces must be used to prevent any unnecessary caving.

SEC. 465. No person shall injure, break or remove any portion of any catch-basin, receiving basin, covering flag, man-hole cover or any part of any public sewer, or obstruct openings to any catch-basin or receiving basin.

SEC. 466. No person shall throw into any catch-basin or gullyshoot any dead animal or animal or vegetable substance, dirty water, wash, brine or other substance likely to remain therein or to clog up such catch-basin or gullyshoot or to create a stench therefrom, nor shall any person place any of said substances near a catch-basin or gully shoot which can fall or be carried into same.

STREETS.

SEC. 467. Any person opening any street or private way within the limits of said city, except under and by virtue of an order of the board of aldermen, and any person who shall aid or assist in so offending, shall forfeit and pay a penalty of one hundred dollars for every such offense; and the person or persons opening such street or private way, or procuring the same to be opened, shall forfeit and pay an additional penalty of one hundred dollars for every month that such street or private way shall continue open in violation of the provisions of this section.

SEC. 468. Whenever an order shall have been passed for paving or re-paving with wood, stone or other material, any street or streets of the city, in or through which there shall be, before the execution of such order, any sewer or gas or water mains laid down, it shall be the duty of the department of public works to examine the land and buildings upon said street, to prescribe the connections proper to be made with such sewer, gas or water mains, by the proprietors of such lands, and to give to such proprietors reasonable notice, requiring them to make such connections before such pavement is laid or re-laid, as the case may be.

SEC. 469. If the requirements of said notice shall not be complied with, it shall be and hereby is made the duty of said department, unless otherwise ordered, by the board of aldermen, to cause all such connections, so ordered by, it as aforesaid, to be made, and the expense of making the same shall be paid by the proprietors, of said lands respectively, and shall be a lien upon said lands in favor of said city, to be secured and enforced in the manner now provided by the charter and ordinances of the city in other cases.

SEC. 470. No person or corporation shall make or cause to be made any opening, aperture or excavation for any purpose whatever in any street or sidewalk in the city, without permission from the director of public works, upon written application therefor as provided in the ordinances concerning licenses and permits.

SEC. 471. The director of public works shall issue licenses to such persons and corporations as he may deem competent to open or excavate the streets for the purpose of laying gas and water mains, wire conduits and steam supply pipes, and to make all necessary connections with the same and with the public sewers. The application for such license shall be accompanied by a bond to the city, acceptable to said director, for the proper performance of such work and for the indemnification of the city against all damages which it may be compelled to pay, or shall in fact pay for injuries sustained in violation thereof, and for all expense that the city may incur in refilling openings and excavations and in restoring streets and pavements to their former condition in accordance with the provisions of this ordinance.

SEC. 472. All excavations in any street shall be made under the direction and supervision of the director of public works or by such person as he may appoint to represent him, and the ex-

pense to the city for any such supervision shall be paid to the collector by such person or corporation for the uses of the city; *provided*, that the charge for supervision for any excavation in any street to connect with any water or gas main, steam supply pipe, or to make any repairs to the same, or public sewers, shall be one dollar.

SEC. 473. No person or corporation shall refill any opening or excavation in the roadway between the curb lines of any street made under any such license except under the supervision of the director of public works or of such person as he may appoint to represent him.

SEC. 474. Any person or corporation which shall take up any portion of any pavement, except the pavement having a cement or concrete foundation, or make any excavation in any street, shall, as soon thereafter as practicable, refill such excavation and restore such pavement, leaving such street and pavement in a condition that will be acceptable to the director of public works.

SEC. 475. No person or corporation shall restore any pavement having a cement or concrete foundation, but the same shall be done by the department of public works, and the expense to the city of restoring such pavement to its original condition shall be paid to the collector by the person or corporation by whom such pavement was taken up.

SEC. 476. If it shall appear at any time within six months after the same has been done that the work of replacing any street or pavement has been improperly performed by any person or corporation, or that said street or pavement has not been restored to its former condition, the director of public works shall notify such person or corporation to put the same in as good condition as it was before the opening or excavation was made, and if the person or corporation receiving such notice shall neglect or refuse to properly restore such street or pavement within forty-eight hours thereafter, the director of public works shall cause the necessary repairs to be made, and the expense thereof, unless paid, shall be recovered from said person or corporation in a civil action in the name of the city.

SEC. 477. The director of public works shall revoke the license granted to any person or corporation who shall be indebted to the city, and no license shall thereafter be issued to such person or

corporation, either directly or indirectly until such indebtedness has been cancelled.

SEC. 478. When any excavation is made in any street, the person or persons, by or for whom such excavation is made, shall cause a rail or other sufficient fence to be placed and fixed so as to enclose such excavation, and the dirt, gravel, or other material thrown into the street therefrom; and such fence shall be continued during the whole time such excavation shall be open. And a lighted red lantern shall be fixed to some part of such fence, or in some other proper manner over or near such excavation, and the dirt, gravel, or other material taken from the same, and so kept from the beginning of the twilight of the evening through the whole of the night, and shall be continued every evening and night during all the time such excavation shall be open, or in a state of repair.

GENERAL PROVISIONS.

SEC. 479. Every person carting any timber, machinery, or other heavy substance through any street of said city, shall have the same raised and supported on wheels, or when there is sleighing, on runners, so as to avoid dragging on the ground, or tearing up or otherwise injuring the surface of the streets.

SEC. 480. No person shall cut or dig up any sods or turf in any of the streets or public squares of said city, except under the direction of the director of public works; nor shall any person remove or carry away any sods or turf, cut or dug, contrary to the provisions of this section.

SEC. 481. No person shall take or remove any surplus or excavated material from the roadway of any street in said city, without the authority of the director of public works.

SEC. 482. No purchaser of any coal or fire-wood shall place or permit any such coal or fire-wood to remain in any street more than thirty minutes after sunset in the evening; nor shall any greater quantity than two loads of such wood or coal in any case be permitted, by the purchaser, or other person having the charge thereof, to lie or continue in front of the same premises in any street.

Nor shall any purchaser, or other person as aforesaid, permit any such wood or coal, at any time, by day or night, to remain in any street, so as to obstruct the passage in the same, nor more than four hours in any case.

No person shall cut, saw or split any fire-wood upon any footway or sidewalk in said city.

SEC. 483. No person shall lay or allow to remain in any street, or on any of the public squares within said city, any brick, stone, lumber or rubbish; or erect, set, or continue thereon any house, shop, or building of any kind; or set up, or continue thereon any gate, fence or bars; or place thereon any obstruction whatever; or make any excavation or opening therein; or erect or construct any bridge in or over any of the streets or gutters in said city; or fill up any canal, drain or gutter made by authority; or obstruct or alter the course of any run of water in any street or public square in said city, without license or permission from the proper authorities.

SEC. 484. The draw in all drawbridges in said city shall be kept continuously closed for the purpose of public travel over the same daily, Sundays excepted, during the following hours, to wit: From 6.45 a. m. to 7 a. m., from 12 m. to 12.15 p. m., and from 12.45 p. m. to 1 p. m.

SEC 485. No master, owner or owners, or any person in charge of any vessel or other craft, when said bridge is closed, shall force or attempt to force a passage through the same.

SEC. 486. When a draw is to be opened, after the usual sign is given, of sounding a gong or blowing a whistle, no person other than those in the employ of the city, or having a permit from the director of public works, shall remain upon the draw-span.

When a draw is to be opened, after the usual sign is given of sounding a gong, or blowing a whistle, no person shall stand upon the fixed span within thirty feet of the opening, if the opening is unprotected; and if the opening is protected by gates, no person shall stand on the bridge between said gates and the opening.

SEC. 487. No person shall throw, cart, or lay any offal, vegetables, garbage, dross, straw, shavings, dirt, filth, or rubbish of any kind whatever, in or into any street, or in any of the public squares of said city; or shall suffer any brine, or wash or dirty water to flow into any street, or throw, or permit the same to be thrown into or scattered on any street, or shall throw, cart, or lay any ashes, cinders, or shells in or upon any street in said city, without the authority or permission of the director of public works.

SEC. 488. No person shall cast, throw or deposit on any sidewalk or crosswalk in any street, avenue, or public place within the

corporate limits of the city of New Haven, any part or portion of any fruit or vegetable, or other substances, which when stepped upon by any person, is liable to cause, or does cause, him to slip or fall.

SEC. 489. No person shall distribute, throw or drop, or cause to be distributed or dropped in any of the streets or public squares of said city, any posters, hand-bills, advertising cards or other substance used for the purpose of advertising.

SEC. 490. No person shall post up, display, distribute publicly, exhibit or attach to any bill-board, fence, or other public, or private property, any obscene, lewd, indecent or blasphemous or lascivious wood-cut print, picture or paper.

SEC. 491. No person shall take or remove any street dirt or manure collected from any street in said city, except in front of his own premises, without the authority of the director of public works.

SEC. 492. Every owner of any lot of land which abuts upon any street in said city, shall, when ordered so to do by the board of aldermen, cause to be erected and maintained on the line of such lot adjoining the street, a suitable fence of rails, boards, or other materials; and the director of public works is hereby authorized to erect such fence where, after the passage of such order, the owner or owners neglect to provide the same, and the expense of erecting such fence shall be paid by the owner or owners of said land.

SEC. 493. No person shall make a stand in any street, or in any of the public squares of said city, with a wagon, wheelbarrow or other vehicle, or shall erect any booth, for the sale of any article, or for the exercise of any business or calling, unless licensed by the chief of police.

SEC. 494. No person shall beat, shake, or clean any carpet, drugget, rug, or oil cloth of any kind in or upon any of the streets or public squares of said city.

SEC. 495. No person shall play at foot-ball, or any other game of ball, or quoits, or throw stones, snow-balls or other thing liable to injure any person, or frighten any horse, or shoot with or use a bow and arrow, or fly a kite, or course or coast upon a sled in any street or public square of said city.

SEC. 496. No person shall ignite fireworks of any kind in any

of the streets or public squares in said city, without permission of the chief of police.

SEC. 497. No person shall throw down, or in any manner injure or deface any fence, pump, watering trough, seat, or other work of ornament or utility erected by authority, in or upon any of the streets or public squares of said city.

SEC. 498. Any person who shall erect any wooden awning or shed over any street or sidewalk in said city, shall forfeit and pay a penalty of not less than ten dollars, nor more than one hundred dollars.

SEC. 499. Any wooden awning erected and maintained contrary to the provisions of the next preceding section, is hereby declared to be a nuisance, and the same may be abated in the manner prescribed in section 347 of the ordinance concerning nuisances.

SEC. 500. No awning posts of greater diameter than three inches for so much of the same as shall be above three feet from the curb stone, shall be erected or continued in any street in said city.

SEC. 501. No person shall injure, displace or remove any mere-stone in the city of New Haven, without permission from the city engineer of said city.

SEC. 502. No person shall leave any cart, car, dray, truck or other vehicle in any street in said city, unless the same is in use and attached to a horse or other animal.

SEC. 503. No person shall place or leave any horse or other animal, or any vehicle, upon any crosswalk in said city.

SEC. 504. No owner, or person having, for the time being, the care or use of any horse, or other beast of burden, carriage or draught, shall ride, drive, or permit the same to go at a faster rate than an ordinary trot, or six miles an hour, in any street in said city; and the running against any foot passenger, exercising ordinary and reasonable care, shall be *prima facie* evidence of a violation of this section.

SEC. 505. No owner of any horse or other animal, attached to any vehicle, shall allow the same to move along any street in said city, without a driver sufficiently near to exercise immediate control over the same.

SEC. 506. No horse or other draught animal attached to any vehicle, shall be driven or stopped upon any crosswalk in said city, for the purpose of detaching such horse or other draught animal

from such vehicle; nor shall any street car or other vehicle stop or stand with any part thereof, or the horse or other draught animals attached thereto, upon any crosswalk on any street in said city, except that street cars or other vehicles conveying passengers may stop long enough to accommodate passengers ready to get in or out, with the rear platform over the crosswalk after having passed the intersecting street.

SEC. 507. The mayor shall designate places where street cars may stand waiting for passengers, and no car shall so wait at any other place in said city.

SEC. 508. All ambulances shall have the right of way over the streets, and no person shall hinder or impede the progress of such vehicle, and all persons shall move to one side of the street to allow the rapid progress of such vehicle.

SIDEWALKS.

SEC. 509. No person shall place, or cause to be placed, upon any public footway or sidewalk in said city, any lumber, iron, trunk, bale, box, crate, cask, package, or any obstruction whatsoever, whether of the same description or not, for more than thirty minutes, under a penalty of not less than two, nor more than fifty dollars; and if such person shall suffer the same to remain more than one hour after being first placed there, or more than ten minutes after notice to remove the same, given by the mayor, director of public works, or by any policeman, the person or persons so offending shall forfeit and pay a penalty of not less than five, nor more than ten dollars for every such offense; and for each and every hour thereafter that the same shall be suffered to remain, the person or persons so offending shall forfeit and pay a further penalty of not less than five nor more than fifty dollars.

SEC. 510. No person shall place, erect, fasten or continue any show bill or show board, of any description whatever, or any goods, wares, or merchandise for show or sale, upon any street or sidewalk in said city, under a penalty of not less than five nor more than fifty dollars for each offense; and the like penalty for every day in which such show bill, show board, or goods, wares, or merchandise shall be continued, after an order to remove the same, given by the director of public works.

SEC. 511. No sign, show bill, show board, goods, wares, merchandise or other thing shall project into any street beyond the

street line; *provided, however*, that all such signs heretofore erected in accordance with the ordinances, and by permission of the board of aldermen, shall be removed before January 1st, 1906. And all signs existing without such permission shall be removed immediately.

All posts fixed in any street for the purpose of supporting any awning shall be of iron not exceeding four inches in diameter and the rail crossing the same shall be of iron. The said post shall be placed next to and along the inside of the curb stone, and the cross rail which is extended to support the awning shall not be less than eight nor more than ten feet in height above the sidewalk, and the said cross rail shall be strongly secured to the upright posts.

Drop awnings, made of canvas, without vertical supports, must in no case extend beyond eight feet from the building, and must be at least eight feet in the clear above the sidewalk. No canvas or other awning requiring vertical supports shall extend into the street and over the sidewalk except by consent of the board of aldermen. Any awning or post supporting the same, heretofore erected, shall not be affected by the provisions of the foregoing ordinance. But it shall be the duty of the director of public works to carefully examine all awnings and the supports thereof, and if in his opinion the awnings or posts supporting the same, are unsafe, the owner shall, within ten days after notification by the director of public works, make such changes as the director of public works deems necessary for public safety, and in all cases where existing posts are deemed by the director of public works to be unsafe, it shall be the duty of the owner to replace them with posts made of iron, and all such posts shall be kept painted.

SEC. 512. No person shall drive, wheel, or draw any coach, cart, hand-cart, wheelbarrow, bicycle, or other vehicle of burden or pleasure, whether of the same description or not, except children's hand carriages drawn by hand; or drive, or permit any horse under his care to go or stand upon any sidewalk or footpath in the streets or public squares of said city, except going in or out at driveways.

SEC. 513. No person shall assemble idly and remain in crowds upon any footway, sidewalk or crosswalk in any street, or in any of the public squares of said city, or before any church or public building, or before or within any cemetery in said city; and all persons to the number of three or more so assembling, and re-

fusing to disperse when commanded so to do by a police officer, special constable, or mayor of said city, shall forfeit and pay a penalty of not more than fifty dollars for every such offense.

SEC. 514. No person shall construct, or cause to be constructed, or allow to remain, any rain-water leader, spout or drain from any dwelling house, store, tenement or other building, to discharge upon, over or above any street or sidewalk in said city.

SEC. 515. The owner, and every person having the care or custody of any building or parcel of land bordering upon any street in said city, where there is any footway or sidewalk, shall keep such footway or sidewalk in a safe and convenient condition for the use of the public, and shall forthwith repair all defects therein in any way endangering or incommoding the public travel upon the same, and shall remove therefrom, without delay, any and all obstructions that may be placed or found thereon. If such owner or person having the care or custody of any such building or parcel of land shall neglect to repair such defects, it shall be the duty of the director of public works to make such repairs, and the expense thereof shall be charged against such owner, agent, or person having charge of such premises, in favor of the city.

SEC. 516. All recommendations from the department of public works to the board of aldermen for the laying, relaying or repairing of any sidewalk in said city, shall be accompanied by the name of the person owning the property, or estate, or the agent of such person, adjoining such sidewalk, and the street or number thereof, and whenever a hearing is to be held for the purpose of laying or relaying or repairing sidewalks as aforesaid, the assistant city clerk of said city shall cause an advertisement to be published in the daily papers of such hearing for at least two days, and shall cause notice to be given to said property owners, their agents, or persons having charge of said property or estate, which notice shall be left at the usual place of abode of such property owner, or his or their agent, in case any person so interested shall not at the time reside in the city, or shall be under any legal disability, or in case the owner of such property is unknown, such notice shall be given as judge of the superior court or of the court of common pleas may order.

SEC. 517. No sidewalk shall be laid and no sidewalk already in use shall be relaid with brick. Any person violating any of the

provisions of this ordinance shall forfeit and pay a penalty of not more than fifty dollars.

SEC. 518. No person shall construct any cellar door or cellar door-way in any sidewalk, or projecting into any sidewalk beyond the street line in said city, except by permission of the board of aldermen. Said cellar doors shall be of an approved wood, built flush with the sidewalk and with no obstructions on the top.

SEC. 519. No person shall continue or maintain any already existing cellar door or cellar door-way in any sidewalk, beyond the street line, for the purpose of being kept open as an entrance, after the passage of an order by the board of aldermen for the removal of such cellar door or door-way.

SEC. 520. No person shall leave open any trap door or coal hole in any sidewalk in said city.

SEC. 521. Every entrance or flight of steps, descending immediately from or near the line of any street, into any cellar or basement story of any building, where such entrance or flight of steps shall not be safely and securely covered, shall be enclosed with a permanent railing on each side, at least three feet high from the top of the sidewalk or pavement, together with a gate to open inwardly, or two iron chains across the front of the entrance-way, one near the top and the other half way from the sidewalk or pavement to the top of the railing, to the acceptance of the director of public works, and such gate or chains shall, unless there be a burning light over the steps to prevent accidents, be closed during the night.

SEC. 522. Any person who shall make or keep open, or cause to be made or kept open, any excavation for a cellar, or other purpose, within three feet of the line of any street, so as to endanger the safety of foot passengers, shall cause such excavation to be properly guarded by a substantial railing or covering, to the satisfaction of the director of public works.

SEC. 523. The upper surface of every coal hole cover and all iron plates on cellar or trap doors in any sidewalk in said city, shall be made, and kept at all times, roughed or studded over, so as to prevent danger or injury to pedestrians.

SEC. 524. The owner, tenant, occupant, or any person having the care of any land or building fronting on any street or public place in said city, where there is any paved sidewalk, shall, after the cessation of any storm of snow, ice or sleet, if in the day time,

within three hours, and if in the night time, before nine o'clock in the forenoon succeeding, cause the same to be removed from such paved sidewalk, and if the same cannot be wholly removed, shall sprinkle thereon sand, or other proper substance, so that such paved sidewalk shall be safe for travel, and in default thereof shall forfeit and pay a penalty of two dollars; and for each and every hour thereafter that the same shall remain on such paved sidewalk, or such paved sidewalk shall be unsafe for travel, such owner, tenant, occupant or other person, shall forfeit and pay a further penalty of two dollars.

The provisions of this section shall apply to the falling of snow from any building, and also to any footway or sidewalk on any bridge spanning any railroad in said city.

SEC. 525. Whenever the city shall have cleaned any sidewalk or premises by removing snow, ice or sleet, at the expense of the owner of such sidewalk or premises in accordance with the charter, notice shall be delivered or mailed to such owner or person or corporation having the care of such sidewalk within ten days after such cleaning.

SEC. 526. The owner, tenant, occupant, or any person having the care of any building, or lot of land bordering on any street or public place in said city, where there is any footway or sidewalk having a paved gutter, shall, at all times keep such paved gutter free from snow, ice or sleet, so as to permit the free passage of water through the same, and in default thereof shall forfeit and pay a penalty of five dollars for every such offense.

SEC. 527. No person or persons shall throw or place, or cause to be thrown or placed, any ice or snow into any street within said city, from private lands or property, without the authority or permission of the director of public works first obtained.

SEC. 528. Every person who shall throw or place, or cause to be thrown or placed, any ice or snow into any street within said city from the sidewalks or gutters of said street, shall cause the same to be broken into small pieces and spread evenly on the surface of such street, and in default thereof shall forfeit and pay a penalty of not less than two, nor more than five dollars for every such offense.

SEC. 529. No person or persons shall cast, place or sprinkle, or cause to be cast, placed or sprinkled, salt or any other substance,

in or upon any sidewalk in said city, for the purpose of melting any snow or ice thereon.

Any person offending against any of the provisions of this section shall forfeit and pay a penalty of not less than five, nor more than one hundred dollars.

SEC. 530. Whenever the word "street" or "streets" is mentioned in this ordinance, it shall be understood as including alleys, lanes, courts, greens, public squares and public places, and it shall also be understood as including the sidewalks, unless the contrary is expressed, or such construction would be inconsistent with the manifest intent of the board of aldermen.

SEC. 531. No person shall water any Telford or broken stone pavement by means of a watering cart, unless he shall first have obtained a license therefor from the director of public works, which license shall run for not more than one year, and shall contain such conditions as the director of public works may prescribe.

SEC. 532. The director of public works may at any time revoke any such license, as aforesaid, for breach of any of the conditions expressed in the same, or of the regulations which may be prescribed by said director of public works, subject to appeal, as provided in the ordinance concerning licenses and permits; and until such revocation is disapproved by vote of the board of aldermen, the license so revoked shall cease to be in force.

SEC. 533. No person shall water any Telford or broken stone pavement with a hose, except by means of such sprinkler as may be authorized by the director of public works.

SEC. 534. Any person violating any of the provisions of this chapter, excepting where a different penalty is otherwise specially provided in any section thereof, shall forfeit and pay a penalty of not less than two, nor more than fifty dollars for every such offense, and a like penalty for each day's continuance thereof.

BRIDGES.

SEC. 535. All bridges that shall be built or repaired within the city limits, for railroad purposes, shall be so constructed or repaired as to give clear road and sidewalk accommodation the entire width of the streets on which they shall be constructed or repaired, without trusses or divisions of any material or pattern over the part used for driving purposes.

That the flooring for the full width of all bridges that may hereafter be constructed or repaired shall be of such material as the director of public works may direct, and so laid as to entirely prevent smoke or steam from penetrating through the floors; and that the outside of walks on all bridges that may hereafter be constructed or repaired shall be protected with closed fences at least five feet in height.

TREES.

SEC. 536. The department of public works shall have the general care and charge of the trees in the streets and public squares of said city, and shall provide for the trimming and protection of such trees, and, when necessary, shall provide for or authorize the removal of the same.

Said department shall also provide for or authorize the planting of trees in new streets, and in such other streets and places as they may deem proper.

SEC. 537. Every person who shall, without the permission of said department, cut, bruise, injure or destroy any tree or shrub for shade, ornament or use in any street or public square in said city, shall forfeit and pay a penalty of fifty dollars for every such offense.

SEC. 538. Every person who shall fasten any horse or other animal to any shade tree in any street, or who shall place or leave any horse or other animal in such a manner that it may injure any such shade tree, shall forfeit and pay a penalty of not less than two, nor more than fifty dollars for every such offense.

SEC. 539. Every person who shall willfully and maliciously cut, bruise, break, injure, destroy, displace or carry away any leaden trough or other fixture placed upon or around any tree in said city, for the purpose of protecting the same, shall forfeit and pay a penalty of not less than ten, nor more than fifty dollars for every such offense.

SEC. 540. Every person who shall hang, affix or fasten any guy rope, sign, show-bill, advertisement or other thing, of any description whatever, upon or to any tree, in any street or public square of said city without the authority or permission of said department shall forfeit and pay a penalty of not less than two, nor more than fifty dollars for every such offense.

BATH HOUSE.

SEC. 541. The director of public works shall have general and exclusive control and management of all bath houses erected by the city.

Said director shall appoint for each bath house and place in charge thereof a keeper, a matron and such other assistants as may be necessary. He shall prescribe and define their respective powers and duties.

Said director is hereby authorized and empowered to make and alter from time to time all needful rules and regulations for the use of the privileges of each bath house, and the maintenance of order and safety therein, and for the suspension of the privileges of the bath house for disobedience to said rules and regulations. Said director shall cause said rules and regulations to be printed and posted in a conspicuous place in each bath house.

A fee of five cents shall be charged to each person over the age of sixteen years using any bath house.

PUBLIC WHARF.

SEC. 542. The director of public works shall have charge and control of the wharf property belonging to the city of New Haven, including all the wharf piers, bulkheads, and structures thereon, and all the slips, basins, docks, water fronts, land under water, and structures thereon, and the appurtenances, easements, uses, reversions and rights belonging thereto, which are now possessed or owned by the city of New Haven, or to which said city of New Haven is or may become entitled, and shall have exclusive charge and control of the repairing, building, rebuilding, maintaining, altering, strengthening, leasing and protecting of said property, and every part thereof, and of all the cleaning, dredging and deepening necessary, in or about the same.

And said director shall have power to appoint a dockmaster, who shall perform such services as may be prescribed by the city ordinances or by said director.

SEC. 543. No cargo shall be discharged from any vessel upon any pier, bulkhead or wharf structure, at which such vessel is being unladen, after notice signed and served by the dockmaster, upon the owners, consignees, master, or other officer or stevedore of such vessel, that such pier, bulkhead or structure will be

endangered by the placing of additional cargo thereon, under a penalty of one hundred dollars for every such offense, and a further penalty equal in amount to the damages of every description which shall be caused by the further discharging of cargo upon such pier, bulkhead or structure, after the service of such notice, both of such penalties to be recovered from such owner, consignee, cargo, vessel, master or other officer or stevedore, severally and respectively.

SEC. 544. No manure, ashes, cellar dirt, garbage, offal, dead animals or refuse of any kind shall be received or delivered at said pier, bulkhead, wharf structure or reclaimed land, or placed thereon, without a special permit to be applied for in writing, having first been obtained from the department of public works, and the party or parties receiving or discharging said manure, ashes, cellar dirt, garbage, offal, dead animals, or refuse of any kind, or placing the same on any bulkhead, wharf structure, or reclaimed land, without a permit obtained therefor as specified, shall be subject to a penalty of twenty-five dollars for each offense, and a further penalty of twenty-five dollars a day for each and every day, after the placing the same on any pier, bulkhead, wharf structure or reclaimed land, until the removal thereof, to be recovered from the owners, agent, consignee of the vessel, or of the manure, ashes, cellar dirt, garbage, offal, dead animals or refuse of any kind so received, delivered or deposited severally and respectively, and it shall be the duty of the dockmaster to enforce this rule and report any violation thereof.

SEC. 545. All goods, merchandise and materials of every kind, landed or placed on any pier, bulkhead or other wharf structure, must be removed therefrom without unnecessary delay, and within twenty-four hours after the director of public works, or his representative, shall have served upon the owner, shipper, or consignee of such cargo, a notice signed and served by the director of public works, to remove the same, under a penalty of twenty-five dollars per day for each and every day during which any part of said goods, merchandise or materials, shall remain upon such pier, bulkhead or structure, after the expiration of said twenty-four hours, to be recovered from such owners, goods, merchandise or materials, shipper or consignee, severally and respectively.

SEC. 546. All goods, merchandise and materials of every kind, encumbering any pier, bulkhead or other wharf structure, after

the time designated for the removal thereof, shall have expired, will be liable to be removed by the authority of the director of public works to any warehouse or yard, at the sole risk and expense of the owner of any such goods, merchandise, or materials, and all expense incurred for such removal and storage, or otherwise, shall be and become a lien thereon, and such goods, merchandise or materials will not be delivered to the owner until the expense of such removal and storage has been paid.

SEC. 547. No brick, stone, sand or gravel, or similar material, shall be unloaded on any wharf property, unless a permit therefor shall be issued by the director of public works.

SEC. 548. No sand or similar material shall be discharged from any vessel, unless canvas or similar material be extended from the vessel's side to the bulkhead or wharf structure at which such vessel is being unladen, to prevent the falling of sand into the water, and if the surface of any such wharf structure is not sufficiently tight to prevent the sand or other material dumped thereon from going into the water, then no sand or similar material shall be discharged thereon from any vessel, unless canvas or similar material be first laid thereon to receive the sand or similar material, under a penalty of twenty-five dollars for each offense, to be recovered from the cargo, owner, consignee, master or stevedore of any such vessel, severally and respectively.

SEC. 549. No ashes, refuse, offal, fruit, vegetables or any other substance shall be thrown into the water surrounding or adjacent to any pier or bulkhead, under a penalty of not exceeding twenty-five dollars for every such offense, to be recovered from the person actually throwing the same; or if any substance be thrown from any vessel, then such penalty to be recovered from the owner, consignee, or master of such vessel, severally and respectively.

SEC. 550. All lumber, brick or other material in bulk, discharged on any pier or bulkhead not shedded, shall be at once removed, or if not so removed, shall be placed at least twenty feet from the bulkhead edge, pending removal, under a penalty of twenty-five dollars a day for each and every day such lumber, brick or other material shall remain on the bulkhead, to be recovered from the owner or consignee of such lumber, brick or other material, or from the person placing or causing the same to be placed on such bulkhead, severally and respectively.

SEC. 551. No person shall load, discharge or keep on any wharf, pier or bulkhead, or allow to remain on any lighter, barge or other craft moored to the wharves, piers or bulkheads of the city, any cotton, turpentine, rosin, hay, straw, or other inflammable merchandise, unless the same is covered with tarpaulins, or other more permanent or substantial material, under a penalty of not exceeding fifty dollars for each day or fraction of a day that such cotton, turpentine, rosin, hay, straw, or other inflammable merchandise shall be permitted to remain uncovered, as provided in this rule; such penalty to be recovered from the owner of such material, lessee or occupant of any pier, wharf, or bulkhead, on which such cotton, turpentine, rosin, hay, straw or other inflammable merchandise may be left thus exposed in contravention of the terms of this regulation or from the owner of such material, lessee or occupant of any pier, wharf or bulkhead, to which shall be moored any lighter, barge, or other craft, upon which inflammable merchandise shall be left uncovered as herein provided.

SEC. 552. No unharnessed truck, cart, wagon or vehicle of any description shall be placed or left at any time on any public wharf, pier or bulkhead, for a period beyond 24 hours, under a penalty of five dollars, to be recovered from the owner of said unharnessed truck, cart, wagon, or vehicle. Any unharnessed truck, cart, wagon or vehicle of any description placed or left on any marginal street, wharf or place, or on any bulkhead, pier or reclaimed land under the charge and control of the director of public works, shall be removed by the dockmaster, to a place designated by the director, and a charge of not less than fifty cents per day for storage on same shall be and become a lien thereon, and such unharnessed truck, cart or wagon or vehicle of any description, will not be delivered to the owner until such fine and storage fee have been paid.

SEC. 553. The dockmaster shall promptly designate and assign in the order in which application is made, suitable and convenient berths as far as practicable, for the use of such vessels and water craft as may require the same for the reception or discharge of passengers, merchandise, or other property therefrom, and for the necessary repair or safety of any vessel or water craft.

SEC. 554. It shall be the duty of the dockmaster, in the presence of the captain or person in charge of vessel, to punch in

triplicate, the wharfage tickets, for wharfage due to the city of New Haven, from all vessels and water craft that may be moored within the limits of his district, and to transmit each day to the director of public works of the city of New Haven, unless otherwise ordered by said director, ticket No. two, giving the date, name, home port, and the description of the vessel, the name and address of owner, agent or consignee thereof, and the wharf, pier, or bulkhead at which such vessel or water craft is located, and shall submit therewith a statement showing the amount of accrued wharfage, cash and credit. Ticket No. one shall be retained by the dockmaster; No. three shall be delivered to said owner, agent, consignee or representative.

SEC. 555. The dockmaster shall make return to the treasurer, at such an hour as may be designated by the director of public works, on Tuesday of each week, or as much oftener as may be required by the board of finance, of all wharfage or cranage collected by him during the previous week, and shall render to the director of public works a statement, as often as once a month, and as much oftener as may be required by said director, of all wharfage and cranage due to the city of New Haven, which has accrued during the period since the last report, specifying the amount accrued at each particular wharf, pier, or bulkhead.

SEC. 556. The dockmaster is expressly prohibited, under the penalty of immediate dismissal from his position, from receiving or demanding, directly or indirectly, any fee, gratuity, compensation or article of value of any nature or kind, for the assignment of a berth to a vessel at any pier, slip or wharf property whatsoever, or for the performance of or omission to perform any of the duties required of or appertaining to the position of dockmaster of this department.

SEC. 557. The dockmaster shall prevent any accumulation of material upon the piers, wharfs or bulkheads; and whenever any pier, wharf or bulkhead shall be incumbered or obstructed in its free use by any vessel, merchandise or material, in transit or otherwise, or by any structure, incumbrance or obstruction, not authorized or permitted by this ordinance, the director of public works is authorized to require the owner, agent, consignee or person occupying or in charge of such to remove the same without delay. Upon receiving such order, the owner, agent, consignee or person in charge of the vessel, merchandise, material,

structure, incumbrance or obstruction, as the case may be, in reference to which said order or direction was given, shall comply with the same without delay, and in default thereof, the director of public works may employ such assistance as may be necessary to carry into effect his order or decision by the removal of such vessel, merchandise, material, structure, incumbrance or obstruction in respect to which the order was given. All expenses actually and necessarily incurred in effecting such removal, and for storage of merchandise or materials thus removed, shall be paid by the owner, agent, consignee or person in charge, and the amount thereof shall be a lien upon the same in favor of the city of New Haven.

CARGO WHARFAGE.

SEC. 558. All goods or merchandise on the wharves shall be at the sole risk of the owner.

Maximum wharfage on all goods or merchandise for each thirty days or fractional part thereof shall be as follows:

	Cents.
Acids, per carboy	2
Ammunition, per case	1
Ashes, per ton	7
Barrels, empty oil	1
Barrels, empty flour	$\frac{1}{2}$
Brick, fire, per 1,000	15
Brick, building, per 1,000	$12\frac{1}{2}$
Brick, paving, per 1,000	$12\frac{1}{2}$
Bones, per ton	$12\frac{1}{2}$
Barytes, per ton	7
Brick, hollow	10
Cabbage, per 100 bushels, 10 cabbage to the bushel.....	30
Coal, per ton	7
Carboys, empty, each	$\frac{1}{2}$
Clay, per ton	7
Cement, per barrel	1
Dyewoods, per ton	$12\frac{1}{2}$
Earthenware, per ton	$12\frac{1}{2}$
Excelsior, in bales, each	2
Fish, per 100 lbs.....	1
Flour, per barrel	1

	Cents.
Fertilizer, per ton	12½
Flour, in bags, 100 lbs.....	½
Grain and Feed, in bags, per ton net.....	12½
Grandstone, per ton	12½
Gun stocks, per 1,000	25
Gravel, per ton	7
Hair, per ton	12½
Hay, per bale	2
Horns, per ton	12½
Hoop poles, per 1,000	25
Ice, per ton	7
Iron, all kinds, per ton	12½
Junk, per ton	12½
Lumber, per M feet	10
Lumber, Lath, per 1,000	2
Shingles, per 1,000	2
Pickets, per M feet	10
Staves, per 1,000	12½
Poles, under 4 inches, per 1,000.....	25
Telegraph Poles, each	8
Piles, each	8
Manure, per ton	7
Molasses, per hhd.....	10
Molasses, per tierce	6
Molasses, per barrel	3
Melons, per 1,000	20
Nails, per keg	1
Oil, per barrel	3
Oranges, per crate	1
Ore, per ton	7
Onions, per 100 bushels	30
Oysters, per 100 bushels	50
Powder, per keg	1
Powder, per half barrel	1½
Potatoes, per 100 bushels	30
Plaster, per barrel	1
Plaster, per ton	7
Rags, per ton	15
Salt, per ton	7

	Cents.
Salt, per sack	1½
Slate, per ton	12½
Shooks, each	1
Sugar, per hhd.....	12½
Sugar, per barrel	3
Sugar, per tierce	6
Spikes, per keg	1
Sand, per ton	7
Stone, all kinds, per ton.....	12½
Stoneware, per ton	12½
R. R. Ties, each	¼
Wood, per cord	6

VESSEL WHARFAGE (DOCKAGE).

Maximum Rates.

SEC. 559. Loaded sailing vessels. One cent per ton per day registered tonnage. One-half cent per ton per day when unloading to lighter. One-half cent per ton per day while occupying outside berth or awaiting convenience.

Light Vessels. One-half cent per ton per day.

Barges and Boats. (Except those awaiting convenience.) One cent per ton per day.

Barges and boats (awaiting convenience). Loaded, \$1.00 per day. Light, 50 cents per day.

Steamboats. Carrying local excursion parties, no charge. Carrying other excursion parties, \$10.00 each landing.

Minimum Charge. Fifty cents on everything that is not over 50 tons register.

Vessels hauled up at wharf for the winter, as may be agreed with the director of public works.

The director of public works is authorized, in his discretion, to reduce the rates in any case in which, at any time, they may be in excess of rates charged elsewhere in the city, to a level with such charges.

The director of public works is also authorized to classify all articles which may not be mentioned in this list, with such articles in the list, as in his judgment most nearly represent corresponding

requirements and conditions, or to make a new rate, intermediate between any two rates, and to correspond with any rate which may have been previously established at other wharves in the city.

LOADING AND UNLOADING CHARGES.

SEC. 560.

Loading or unloading	Lumber	.....	25 cents per M feet.
"	"	Pig Iron	..... 7½ cents per ton.
"	"	Merchant Iron	... Actual cost of handling.
"	"	Grindstone " " "
"	"	Asphalt paving blocks	.... 30 cents per ton.
Hoisting, Coal and General Merchandise, (except			
	Pig Iron)	.....	10 cents per ton.
Hoisting Pig Iron	.....	7½ cents per ton.	
Loading Brick	.....	15 cents per ton.	
Use of Engine and Engineer	.....	\$10.00 per day.	
Guying	.....	1 cent per ton	
Weighing	.....	4 cents per ton.	
Shoveling, Ashes	.....	10 cents per ton.	
"	Barytes	.....	10 cents per ton.
"	Coal	.....	8 cents per ton.
"	Salt	.....	8 cents per ton.
"	Sand	.....	8 cents per ton.

MISCELLANEOUS.

SEC. 561. Nine hours shall constitute and be considered a day's work in the case of any laborer employed by the city of New Haven.

SEC. 562. All the employes of the city of New Haven shall be paid weekly.

SEC. 563. All fertilizing and other material taken from the streets and sewers of the city, and all manure from the stables of the fire department which is not required for the use of said department, shall be delivered by the department collecting or furnishing the same to the department of public parks at such parks as may be designated by the president of the park commission, subject to the approval of the mayor.

All manure from the stables of the department of public works, and of the police department which is not required for

use by said departments shall be turned over to the department of charities and correction for use at Springside Farm. Said manure, when taken by the department of charities and correction, shall be carted by the teams of said department within a reasonable time after the superintendent is notified that a load is ready at any one place. One cord of clear manure to be considered a load.

SEC. 564. All sums of money due the city of New Haven for the laying of cobble gutters, curbing, sidewalks, cleaning snow, ice or sleet from the sidewalk, or for any other work done by the department of public works, for permits, and for liens and for the discharge of the same, shall be paid to the collector.

CHAPTER XXIV.

RAILROADS AND STEAMBOATS.

SEC.		SEC.	
565.	Railroad companies to conform to the grade of streets, etc.	571.	No person allowed to stand on platform with motorman except employe.
566.	Companies to bear proportionate expense of paving, etc.; director of public works to see that companies conform to the provisions of their charters, etc.	572.	Cars to be equipped with fenders.
567.	Penalty.	573.	Motormen to strike gong at intersecting streets, etc.
568.	Rate of speed of street railway cars limited.	574.	Companies must post copy of ordinance in its cars.
569.	Upon crossing intersecting street power to be shut off.	575-576.	Penalties.
570.	Car when passing another car receiving or discharging passengers must come to full stop.	577.	Snow, ice, etc., to be removed from sidewalks, on bridge over sidewalks, etc.
		578.	Steamboat to have gangplanks; penalty.

STREET RAILROADS—GENERAL PROVISIONS.

SEC. 565. Any railroad company already chartered or hereafter chartered, for the purpose of transporting passengers for hire through the streets of said city, shall, in the construction and maintenance of their railroad tracks within the limits of said city, conform to the grades of the several streets used by them as the same are now or may hereafter be established, so that the public travel shall in no case be hindered, obstructed or endangered thereby; and they are hereby required to restore all streets traversed by their said railroad tracks, to as good condition, with reference to surface, material, and freedom of travel, as they were in before such railroad company entered thereupon.

SEC. 566. Whenever the city shall construct in any street, over which the railroad tracks of any railroad company are laid, any wood, stone or other pavement, said railroad company shall bear a proportionate part of the expense of such paving, and shall thereafter keep in proper repair all that portion of such street lying between the rails of their railroad tracks, and extending to a width of two feet on both sides of such railroad tracks; such re-

pair to be done to the satisfaction and approval of the director of public works.

The director of public works is hereby directed to see that said railroad companies in the construction and maintenance of their railroads, conform to the provisions of their charters, and to the general statute laws of the state; and that the provisions of the foregoing sections of this ordinance are complied with.

SEC. 567. Any such railroad company offending against any of the provisions of the foregoing section of this ordinance, shall forfeit and pay a penalty of one hundred dollars for every such offense; and a like penalty for every day that the railroad tracks of any such railroad company shall remain in violation of any of the provisions of the foregoing sections after such railroad company has received notice from the department of public works to repair or otherwise change the same.

REGULATING SPEED OF STREET RAILROADS, ETC.

SEC. 568. No street railway car shall move or be moved through any street or part of any street within a radius of one mile from the city hall at a speed greater than at the rate of ten miles an hour; beyond that radius at a speed greater than at a rate of twelve miles an hour.

SEC. 569. Upon approaching a crossing of intersecting street upon level and descending ground within a radius of one mile of the city hall, the motorman shall shut off the power and have the car under control until the opposite crossing has been passed.

SEC. 570. No street railway car shall be allowed to pass another car standing on a parallel track in the same street to receive or deliver passengers without coming to a full stop to allow the safe ingress and egress of such passengers.

SEC. 571. No person (except an employe, when necessary), shall be allowed to stand on the platform of any street railway car propelled by motive power other than horses, with the motorman or person having control of the speed of such car.

SEC. 572. Every street railway company operating street railway cars propelled by motive power other than horses, shall equip every such car with good and effective fenders and of such design and type as shall be recommended by the railroad commissioners of the state.

SEC. 573. Every motorman or person having control of the speed of any railroad car propelled by any motive power other

than horses, shall strike a gong or bell several times on approaching the crossing of a street or the intersection of a street, and within one hundred feet of such crossing or intersection, and shall strike a gong or bell at such other places and times as to fully and amply warn any and all persons in the vicinity, and shall keep a vigilant outlook for all persons and all teams, carriages and vehicles of all kinds.

SEC. 574. Every street railway company shall post copies of this ordinance in conspicuous places in each of its car houses so that they can be conveniently and plainly seen and read by such company's employes, and shall also post in a conspicuous place in each of its cars a copy of said ordinance so that it can be conveniently and plainly seen and read by the patrons of such street railway company.

SEC. 575. Any motorman or person violating any of the provisions of sections 568, 569, 570, 571 and 573, and any member of any corporation who causes any motorman to violate the provisions of any of said sections, shall be fined not less than one nor more than one hundred dollars for each offense.

SEC. 576. Any street railway corporation or person operating street railways within the city of New Haven who shall violate any of the provisions of sections 572 and 574, shall be fined not less than five nor more than one hundred dollars for each offense.

RAILROADS AND STEAMBOATS.

SEC. 577. It shall be the duty of any railroad company owning or using any railroad track in said city, over which there is a bridge for the use of foot passengers, to cause the snow, ice or sleet to be removed from the footway or sidewalk on such bridge, at the times, in the manner, and under the penalties provided in section 524 of the ordinance concerning public works.

SEC. 578. Every steamboat employed in the transportation of passengers to and from the port of New Haven shall be provided with a gang-plank, at least six feet wide, having a hand-rail at least three feet high on each side thereof, and such gang-plank shall be used in all cases for the safe and convenient landing and embarking of passengers only.

The owner or master of any steamboat violating any of the provisions of the section, shall forfeit and pay a penalty of twenty-five dollars for every such offense; and a like penalty for every day that such steamboat shall remain without such gang-plank.

CHAPTER XXV.

STEAM BOILERS.

- | SEC. | | SEC. | |
|------|---|------|--|
| 579. | Board of supervisors; how appointed; term of office; vacancy, how filled, etc. | 586. | Board to keep record, and report to board of aldermen. |
| 580. | Board to make rules and regulations. | 587. | Engineers to be responsible, etc.; penalty. |
| 581. | Inspector; how appointed. | 588. | Certificate of inspection by Hartford Steam Boiler Inspection Company and other companies to dispense with further inspection by the board, etc. |
| 582. | Inspector; duties of. | 589. | Said companies to report monthly to the board, etc. |
| 583. | Boilers not to be set except by permission of board. | 590. | Said companies not to make inspections except upon application for insurance, etc. |
| 584. | Boilers to be inspected once in each year; compensation of inspector; penalty. | | |
| 585. | Not to apply to boilers on steamboats, or those used for warming buildings; when. | | |

SEC. 579. There shall be a board of supervisors, for the supervision of portable and stationary steam boilers, in said city. Said board shall consist of three judicious men, skilled in the management of steam boilers, elected by the board of aldermen.

Said board shall annually, in the month of May, elect a member of said board, who shall hold office for three years from the first Tuesday in June next succeeding his election, and until another shall be chosen and qualified in his stead. And in case of the death, resignation or removal of any member of said board, said board shall immediately elect another to fill the vacancy.

SEC. 580. Said board of supervisors shall make such rules and regulations for the manner of setting and using portable and stationary steam boilers in said city, as they shall deem necessary for safety, and for thorough and convenient inspection.

SEC. 581. Said board shall annually appoint some suitable practical engineer to be an inspector of portable and stationary steam boilers, who shall be removable by said board for cause.

SEC. 582. Said inspector of boilers, subject to the direction of said board, shall carefully examine, at least once in each year, and oftener if said board shall think necessary, every steam boiler in use in said city, and make such orders under his hand upon the owners or persons operating the same, as he shall judge necessary to make the use thereof safe, and in conformity with these ordinances, and with rules of said board, and said orders, rules and ordinances being complied with, and not otherwise, he shall furnish to the person operating such boiler a certificate that the same has been duly examined and found to conform with law.

Every person owning or operating such boiler shall keep said certificate at all times conspicuously posted in the room or rooms where such boiler is located.

Said inspector shall report to said board the location, capacity and condition of every boiler examined by him, and the substance of every order issued by him.

He shall have charge of and be responsible for the boiler-tester, and any other implements belonging to the city, and used in the business of said office.

SEC. 583. No person shall hereafter set, or cause to be set, or put in operation or continue in operation, in said city, any portable or stationary steam engine or portable or stationary steam boiler, except by permission of said board of supervisors, upon written application therefor, under the hand of the proprietor.

Every application for permission under this section shall state the precise location in which such engine or boiler is to be placed, the size or power of the boiler and engine, the purpose for which it is to be used, and any other particulars required by the rules of said board.

SEC. 584. Every person owning or operating any portable or stationary steam boilers in said city, shall have them examined by said inspector, before they shall be put in use, at least once in each year, and shall pay said inspector for examining the same, at the rate of one dollar per hour, including the time spent in going and returning, before receiving his certificate, and shall forthwith conform to the rules of said board, and the orders of said inspector.

Every person who shall use, or cause to be used, in said city, any portable or stationary steam boiler, without first having received a certificate of the inspector, as heretofore provided, within the year next preceding, and upon the last preceding inspection, or

without first complying with the rules and regulations of said board, and the orders of said inspector, shall forfeit and pay a penalty of fifty dollars for every day in which such boiler shall be so used.

Every person who shall violate any other provision of this ordinance shall forfeit and pay a penalty of not less than five, nor more than one hundred dollars for every such offense.

SEC. 585. Nothing in this ordinance shall be so construed as to include or apply to boilers on steamboats; nor to boilers used for warming buildings or other purposes, when such boilers do not carry a pressure of steam exceeding five pounds.

SEC. 586. Said board shall make and keep a record of all portable and stationary steam boilers used in said city, and of all reports and complaints made to them, and of all their acts under this ordinance, and shall annually make report thereof to the board of aldermen.

SEC. 587. The engineer in charge of any portable or stationary steam boiler shall be responsible for the good condition of the same, and of the steam and water gauges, pumps and pipes connected therewith when in use.

Every engineer in charge of any portable or stationary steam boiler shall forfeit and pay a penalty of not more than one hundred dollars for every day in which he shall suffer such boiler to be used with any of said apparatus out of order.

And the proprietor of any such boiler shall forfeit and pay a like penalty for every day in which he shall knowingly suffer or permit the same to be used in violation of the foregoing provisions of this section.

SEC. 588. The Hartford Steam Boiler Inspection and Insurance Company, or any company incorporated by this state or by some other of the United States, for the purpose of inspecting steam boilers, that has complied with the insurance laws of the state of Connecticut and legally doing business therein, shall be authorized to issue policies of insurance and certificates of inspection on boilers in the city of New Haven, and any person, persons or corporations holding such certificates of inspection of their boilers, the same being accepted, endorsed and recorded by the board of supervisors of stationary steam boilers of the city of New Haven, and unrevoked by them, and in force, shall be exempt from any further inspection, and from the penalty provided in section 584 of the ordinance relating to steam boilers.

SEC. 589. Said steam boiler inspection and insurance companies shall report monthly to the board of supervisors of steam boilers of the city of New Haven, the condition of all boilers that have been inspected by them during the previous month, with the name of the owner or owners and locality of the same, and if any of the certificates of inspection and insurance are not renewed, or are withdrawn, or if upon inspection of any boiler it is found defective and unsafe, and the owner or owners refuse to put it in proper repair, notice in writing shall at once be given to said board, so that no boiler within the city shall go uninspected or be in use while in an unsafe condition, and for each and every omission to give such notice said company shall forfeit and pay a penalty of fifty dollars.

SEC. 590. The inspectors of said Hartford Steam Boiler Inspection and Insurance Company, or of any company incorporated by this state or by some other of the United States for the purpose of inspecting steam boilers and legally doing business in the state of Connecticut, shall not be allowed to make inspections in the city of New Haven, except where application for policies of insurance are applied for, and all the operations of said company, so far as boiler attachments and safeguards are concerned, shall conform strictly to the rules and regulations of the board of supervisors of steam boilers.

CHAPTER XXVI.

TAXES.

SEC.	SEC.
591. Special taxes.	593. Board of aldermen may abate taxes in certain cases.
592. Mayor and board of finance to prepare and sign proper rate-bill; mayor to cause rate-bill and warrant to be delivered to collector.	594. Sinking funds, etc.; committees; how appointed, etc.
	595. Board of assessors; taxes exempted.

SEC. 591. Whenever the board of finance shall deem it necessary to lay a special tax, estimates shall be submitted and published in like manner as for an annual tax.

SEC. 592. Whenever any tax has been duly laid, the mayor and the board of finance shall prepare and sign a proper rate bill therefor, and the mayor shall cause such rate bill with a proper warrant for the collection of such tax to be delivered to the collector.

SEC. 593. The mayor and board of aldermen of the city of New Haven may abate the taxes assessed against persons who are poor and unable to pay, causing an entry thereof to be made upon the records of the said board and a duplicate thereof to be delivered to the collector.

SEC. 594. The board of aldermen may from time to time establish a sinking fund, or sinking funds, to provide for or reduce any indebtedness of said city, and may appoint a sinking fund committee to receive and manage any appropriations made to such fund, and said board may from time to time make such appropriations to such funds as they may deem proper, from the taxes or surplus of said city. A sinking fund committee for every such fund shall be appointed by said board annually.

SEC. 595. The board of assessors shall annually, on or before the first day of June, present to the mayor, to be by him presented to the board of aldermen, an accurate, detailed statement of all lands and buildings on which local taxes are not assessed, giving locations, descriptions, assessors' valuations, names of owners, and reasons for exemptions.

CHAPTER XXVII.

TRADE.

SEC.

596. Coal; how sold.
597-598. Coal to be weighed at the request of the buyer, etc.
599. Coal not to be taken from the cart while in transit to place of delivery, etc.
600. Charcoal; how measured and sold.
601. No vender of charcoal shall have in his possession measures of less dimensions than required by next preceding section, or not sealed as therein provided.
602. Cord wood to be measured at request of the purchaser; penalty.
603. Bootblacks to be licensed by chief of police.
604. Number of license to be fastened on box.
605. Revocation.
606. No license fee to be charged.
607. Peddling papers by minor under ten prohibited.
608. Penalty for parents, etc., knowingly permitting same.

GUNPOWDER.

609. No person to keep gunpowder in any quantity exceeding fifteen pounds unless licensed by the board of aldermen.
610. Licensed persons not to keep gunpowder in any greater quantity than twenty-five pounds at any one time; same to be kept in box, etc.

SEC.

611. Transportation of gunpowder through the city; to be licensed by mayor, fire marshal and chief of fire department.
612. Time for transportation of gunpowder; penalty for obstructing.
613. Transportation of gunpowder in passenger steamboats or cars prohibited.
614. Penalty for violation of five next preceding sections.
615. Mayor may issue search warrant authorizing fire marshal to search for gunpowder in certain cases; penalty for obstructing.
616. No person to sell arms or ammunition to children.
617. Fireworks not to be sold or exposed for sale without license fee for, etc.
618. Every license for sale of gunpowder to conform to and have printed thereon sections 609 and 610.

INFLAMMABLE OILS, ETC.

619. No person to manufacture, refine, sell, etc., petroleum, benzine, etc., except one barrel of refined petroleum of a standard fire test of 110° Fahrenheit kept on sale or storage, unless licensed by the fire marshal.

SEC.	SEC.
620. Applications for license under preceding section; how made; granting of licenses; provisions.	625. Sale of kerosene oil, etc., to be licensed by the fire marshal.
621. Licenses to contain certain conditions, etc.	626. Form of application for license under preceding section, appeals, etc.
622. Sale of inflammables in dwellings, or wharves or except in original unbroken receptacle prohibited.	627. Test for kerosene oil, etc.
623. Petroleum products, and benzine test required.	628. Drawing kerosene, etc.; distance from light.
624. Automobile storage, stations regulations and requirements.	629. No machine, etc., containing inflammable substances to be located in city without license therefor; penalty.
	630. Nitro glycerine.
	631. Penalty.

SEC. 596. Anthracite, bituminous, or mineral coal, when sold in quantities of five hundred pounds or more, except by the cargo, shall be sold by weight; and a ton thereof shall consist of two thousand pounds, avoirdupois, of well screened coal.

SEC. 597. Any person selling coal as aforesaid, shall, at the request of the buyer, cause each load thereof sold by him to be weighed by a sworn public weigher in said city, and a certificate of the weight thereof, signed by such weigher, shall be delivered to the buyer, or his agent, at the time of the delivery of the coal.

SEC. 598. When demanded by the buyer of any anthracite, bituminous, or mineral coal as aforesaid, it shall be the duty of the driver of the cart containing such coal, to cause the same, together with such cart, to be immediately weighed upon the most convenient public scales, other than those upon which the same has been already weighed, and to deliver without unnecessary delay such coal at the place of delivery, and at the same time to deliver to such buyer, or his authorized agent, a certificate of the weight of such coal, signed by such public weigher.

When any load of coal, as aforesaid, has been carted and weighed upon demand of the buyer as provided in this section, such buyer shall pay to said driver fifty cents for such carting, and the fees of the public weigher.

SEC. 599. No driver of any cart shall give away, purloin, sell, or remove any coal, or allow any coal to be taken or fall from his cart while in transit to the place of delivery, or to or from the place of weighing.

SEC. 600. All charcoal sold by the bushel, basket, box, or measure for measuring charcoal in said city, shall be measured in baskets, boxes or measures of the capacity of two bushels and no more when even full, and said baskets, boxes, or measures shall in all cases be sealed by a sealer of weights and measures in said city, and shall be so constructed as to be of as great diameter inside at the top as at any other part, and the height of such baskets, boxes, or measures shall not be greater than the diameter, and they shall be as nearly flat upon the bottom as practicable; *provided, however*, that nothing herein contained shall prevent the sale of charcoal in any quantity which shall have been measured and certified to by a sealer of weights and measures in said city, or prevent the sale of charcoal, when measured for sale by a measure furnished by the purchaser.

SEC. 601. No vender of charcoal shall have in his possession any basket, box, or measure of less dimensions than those required by the next preceding section, or not sealed as therein provided, with intent to use the same or permit the same to be used for measuring charcoal, sold or agreed to be sold, in said city.

SEC. 602. Cord wood brought into said city for sale, shall, at the request of the purchaser, be measured by a public measurer, and a certificate of the quantity thereof delivered to such purchaser by the seller or his agent.

SEC. 603. No person not an occupant of a store, shop or house, shall engage in the occupation of blacking or polishing footwear in said city, without first obtaining a license therefor from the chief of police, which license, unless sooner revoked, shall continue in force until the first day of May next succeeding its issuance.

SEC. 604. All persons so licensed shall have the number of such license in figures in the Arabic character of not less than one inch in size, at all times fastened or painted on the outside of the box used by them in such occupation.

SEC. 605. Such license may be revoked by the chief of police at any time for any disorderly or improper conduct on the part of such licensee.

SEC. 606. No fee shall be charged for such license.

SEC. 607. No minor child under the age of ten years shall engage in the occupation of peddling or of selling newspapers or periodicals in the streets of the city.

SEC. 608. No parent, guardian or person having the care or control of any such minor, shall knowingly permit any such minor to engage in either of the aforesaid occupations.

GUNPOWDER.

SEC. 609. No person, except on military duty in the public service of the United States, or of this state, or in case of a public celebration, except with permission of the mayor and board of aldermen, shall have, keep or possess in any building, or in any place, or in any carriage, or on any wharf, or on board of any ship or other vessel within two hundred yards of any wharf or building, or of the main land of the city of New Haven, gunpowder in quantity exceeding fifteen pounds, unless licensed by the board of aldermen so to do, as hereinafter provided, and in the ordinance concerning licenses and permits.

Every application for a license under this section shall be in writing, and shall contain the name of the party applying for it, and the precise place or locality where gunpowder is to be kept.

SEC. 610. No person licensed to have, keep, possess, or sell gunpowder, as provided in the preceding section, shall have, keep or possess it in any greater quantity than twenty-five pounds at any one time; and it shall in all cases be kept in a box of copper, tin, or other incombustible material, furnished with two strong handles, and with a tight cover with hinges. Such boxes shall be marked legibly, in front, with the word "Gunpowder," and shall be made in all respects to the acceptance of the fire marshal of said city. Said boxes shall be placed near the front or outer door of the building wherein they are kept, and the words "Licensed to sell Gunpowder," shall be conspicuously displayed on the front of such building.

SEC. 611. Whenever in the process of the manufacture of fire-arms and ammunition, it shall become necessary to unload from any ship or other vessel, or transport through the city, or use or store gunpowder, the owner, president or superintendent of each and every manufactory engaged in the manufacture of said fire-arms, and said ammunition, shall obtain a special license for the use of such gunpowder, as aforesaid, signed by the mayor, fire marshal and chief of the fire department of said city. Said officers shall have the sole and exclusive charge and regulation of the unloading, transportation, using and storing of said gunpowder, in such

place or places as may seem convenient and proper. They shall likewise have the power to direct through what street or streets, and at what times, said gunpowder shall be transported, and the quantity which may be carried on any one vehicle, at any one time; and it shall not be lawful to pass through any other street or streets than those selected, or to carry any greater quantity than that permitted by said officers.

SEC. 612. No person shall transport any gunpowder through said city at any other time than between sunrise and sunset, and only in accordance with such rules and regulations as may be established by the fire marshal; *provided, however*, that this section shall not be construed to affect in any way the section immediately next preceding.

SEC. 613. No person shall, within the limits of said city, place, receive or have any gunpowder on any steamboat or railroad car used for the carriage of passengers or freight.

SEC. 614. Any person offending against any of the provisions of the five next preceding sections of this ordinance, shall forfeit and pay a penalty of not less than fifty, nor more than one hundred dollars for every such offense; and a like penalty for every day that such person shall have, keep, or possess any gunpowder, contrary to the provisions of said sections.

SEC. 615. Whenever the fire marshal shall make oath before the mayor of said city that he suspects gunpowder is concealed, stored, or kept contrary to the provisions of any of the ordinances of said city, on the premises of any person in said city, or in any building in said city, the mayor shall thereupon, at his discretion, grant a warrant to such fire marshal, authorizing him to search such premises for gunpowder so concealed, kept or stored, at any time between sunrise and sunset, within thirty days from the date of such warrant, and to command all necessary assistance for that purpose.

Any person who shall resist, obstruct, or hinder such fire marshal, or the persons assisting him, in the discharge of said duty, shall forfeit and pay a penalty of not less than twenty, nor more than one hundred dollars for every such offense.

SEC. 616. No person shall sell to any child under the age of sixteen years, without the written consent of the parent or guardian of such child, any cartridge or fixed ammunition of which any fulminate is a component part, or any gun, pistol, or other me-

chanical contrivance arranged for the explosion of such cartridge, or of any fulminate.

SEC. 617. No person shall sell, or expose for sale, any fireworks within the city limits, without having obtained from the fire marshal a license so to do. The fire marshal, upon the written consent of the landlord or his duly authorized representative to the sale of fireworks in his building, is hereby authorized to issue such licenses upon payment of a fee of \$5.00 per annum, wherever he may deem it safe to do so, which license shall specify the place where, and time when, such sale may be made. No such sale or exposure shall take place within the limits of any highway or other public grounds or in front of any building.

SEC. 618. Every license granted for the sale of gunpowder shall conform to, and contain or have printed thereon, sections 609 and 610 of this ordinance, or the substance thereof.

INFLAMMABLE OIL AND OTHER SUBSTANCES.

Whenever the word "benzine" is mentioned in this ordinance it shall be understood as including the substances known as "benzole, benzine, naphtha, gasoline," and all products of crude petroleum, except paraffine in its solid state, and refined petroleum of a standard fire test of 110 degrees Fahrenheit.

SEC. 619. No person shall manufacture, refine, sell or keep on sale or storage any crude or refined petroleum, earth oil, coal or rock oil, benzine or any other inflammable or explosive composition of which any of the foregoing substances constitute a principal ingredient of a standard fire test of 110 degrees Fahrenheit unless licensed so to do by the fire marshal after a thorough investigation made by him of the premises in which said material is to be stored and a certificate on his part that all requirements of the city ordinances have been faithfully complied with.

SEC. 620. Every application for a license to manufacture, refine, sell or keep on sale or storage any of the products mentioned in the preceding section shall contain the name of the party or parties, nature of the business, the substances to be dealt in and the precise place or locality where the substance is to be located.

SEC. 621. No person shall receive a license to manufacture or refine any of the substances mentioned in the next preceding section in any place or locality within 300 feet of any building, wharf, bridge or body of water connecting with New Haven harbor, nor

in any place or locality whatever, unless the same is so arranged by the use of tanks, cellars, excavations or embankments, that it shall be impossible, in case of fire or other accident, for said substances, or either of them, to escape or overflow. In no case shall a license to manufacture or refine said substances, or either of them, be granted, until the fire marshal certify to said board, under his hand, that the place or locality where such business is to be carried on conforms in all respects to the part of this chapter referring to inflammable oils.

SEC. 622. No person shall receive a license to sell or keep on sale or storage any of the substances mentioned under this heading upon any street or wharf nor in any part of a building occupied in whole or any part as a dwelling house, nor upon any floor of a building above the first floor, nor in any building whose foundation and walls are not constructed of brick, stone, iron, nor in any receptacle except in the original unbroken receptacle in which they are shipped or in metallic vessels approved in writing by the fire marshal.

SEC. 623. No person shall manufacture, keep, sell or offer for sale within the limits of said city any illuminating fluid, the principal ingredient of which is benzine, or shall manufacture, sell or offer for sale any illuminating fluid made from petroleum, inflammable at less temperature or fire test than 110 degrees Fahrenheit.

SEC. 624. All automobile storage stations, painters' supply stores or other establishments selling inflammable oils shall store such products in metallic tanks, which tanks shall be located to the approval of the fire marshal. No automobile shall be kept or stored in any building not licensed for such purpose by the fire marshal. No automobile station shall receive a license for the storage, sale or use of gasoline where the following precautionary regulations are not observed:

(a) Sand shall be kept in metal buckets fit and available for absorbing oil that may fall upon the floor, and such sand, when saturated, shall be removed to a safe place and burned free from the oil.

(b) No gasoline shall be put into or taken out of an automobile within 50 feet of an open fire, nor until all lamps used for illuminating purposes have been extinguished, except incandescent electric lights.

(c) No gasoline shall be allowed to run upon or to fall or pass into the drainage system of the premises.

(d) All such buildings shall be lighted only by incandescent electric light.

(e) All gasoline shall be carried about the building in approved closed cans not exceeding five gallons capacity.

SEC. 625. No person shall sell or keep for sale or on storage any kerosene oil or burning fluid of any kind, except whale, sperm, hard or linseed oil, unless licensed so to do by the fire marshal of said city.

SEC. 626. Persons desiring to engage in such sale or storage shall make written application to the fire marshal for a license or permit, stating the place where said oil or burning fluid is to be sold or put on storage, and the largest quantity to be kept for sale or storage; said application shall be signed by said applicant, or his agent, and thereupon the fire marshal shall inspect the premises, and if said premises are approved by him he shall so indorse on the application, and issue a license or permit to sell or keep on storage, kerosene oil or burning fluid, not to exceed such amount as the license may specify at any one time, subject to the provisions of the 621st, 622d, 623d, 624th, 625th sections of this ordinance; *provided*, that the said applicant shall post in a conspicuous place where such kerosene oil or burning fluid is sold or offered for sale, a sign, not less than ten inches in length, and three inches in width, on which are printed these words: "Licensed to sell kerosene oil;" all of which shall be to the acceptance of the fire marshal; *provided, further*, that any person who may feel aggrieved at the refusal of the fire marshal to issue a permit, may appeal to the board of aldermen, within thirty days from the date of such refusal, on first giving written notice to the fire marshal of such appeal, and the said board shall take such action thereon as they shall deem best.

SEC. 627. No person shall sell any burning fluid or kerosene oil for illuminating purposes which is inflammable at a less degree of heat than 110 degrees Fahrenheit.

SEC. 628. No person shall draw or cause to be drawn from any cask, tank or other receptacle any burning fluid or kerosene oil within 50 feet of any flame or light except an incandescent electric light.

SEC. 629. No machine, retort, cylinder and other receptacle or contrivance containing inflammable substances, whether gaseous or otherwise, under a greater pressure than five pounds to the square inch, shall be located, placed or used in any building other than a laboratory of an institution of learning without license therefor from the fire marshal, and no such license shall be granted for the use of any building which is used for other purposes unless such gases are in common use in trades, professions or lines of business, and such use is deemed to be consistent with public safety.

SEC. 630. No person shall have, keep, possess or bring within the limits of this city any of the compound known as nitro-glycerine; *provided, however*, that this section is not to apply to the possession and sale of this compound by licensed druggists for medicinal purposes only in quantities not to exceed one-half pound at any one time, or within the same place of business.

SEC. 631. Any person violating any of the provisions of the part of this chapter headed "Inflammable Oils and Other Substances" shall forfeit and pay a penalty not exceeding \$100, and a like penalty for every day of such violation.

CHAPTER XXVIII.

TRESPASSES.

SEC.

632. Trespass in yards and gardens;
penalty.

SEC.

633. Notices and placards; not to be
posted on private property
without consent of owner, nor
on public property without
consent of mayor and board
of aldermen.

SEC. 632. No person shall enter any yard, garden or enclosure or posted land against the will of the owner or without his permission, or take or destroy any fruit or produce of any such yard, garden, enclosure or posted land, or destroy or in any manner injure any tree, shrub or plant therein.

Any person violating any of the provisions of this section shall be fined not more than \$50 for every such offense.

SEC. 633. No person shall post up, or affix in any manner, any bill, placard or notice, either written or printed, upon any fence, bridge, wall, post, or upon any part of any building in said city, without the previous consent of the occupants thereof; or, if there be no occupants, without the previous consent of the owners thereof; nor upon any building, sidewalk, curbstone, tree, fence or post belonging to said city, without consent of the mayor and board of aldermen; nor upon any pole belonging to any telegraph, telephone or electric lighting company, without the previous consent of such company.

Any person offending against any of the provisions of this section shall forfeit and pay a penalty of not more than twenty dollars for every such offense.

CHAPTER XXIX.

WEIGHTS AND MEASURES.

SEC.		SEC.	
634.	No person to use any scale, etc., that has not been inspected by sealer.	639.	Shall perform inspection when called upon; hay and coal to be weighed by said sealer when the purchaser requests it; fees for such service.
635.	Inspection and stamping by said sealer of scales, etc., carried to him.	640.	No person to obstruct or hinder said sealer.
636.	No person to use any scale, etc., that has been condemned by said sealer.	641.	Measures of capacity; their form to be approved by said sealer.
637.	Said sealer to devote all his time to his duties, making such visits as are deemed necessary.	642.	Records and reports of said sealer.
638.	It shall be lawful for him to enter any store, etc.	643.	Policemen to assist said sealer.
		644.	Fees for service; salary.

SEC. 634. Any person who shall use any scale, weight or measure of any kind, in buying or selling any article of merchandise that has not been inspected by the sealer of weights and measures within one year, shall forfeit and pay a penalty of ten dollars, one-half of which shall be paid to the person or persons giving the necessary information for conviction under this section.

SEC. 635. All persons having scales, weights or measures of any kind, which are to be used in buying and selling goods or merchandise, may carry the same to the place of business or office of the sealer of weights and measures, who, having inspected and found them correct, or having made them correct, shall stamp them "C. N. H.," with the year; and if such scales, weights or measures cannot be made correct, they shall be stamped "Cond." and shall not be again used in the purchase or sale of goods.

SEC. 636. Any person who shall use any scale, weight or measure of any kind that has been inspected and condemned, shall forfeit and pay a penalty of not less than twenty-five, nor more than one hundred dollars, one-half of which shall be paid to the person

or persons giving the necessary information for conviction under this section.

SEC. 637. The sealer of weights and measures shall devote all his time to the duties of his office, shall visit, from time to time, as he shall deem necessary, all places in said city where scales weights or measures of any kind are used in buying or selling any article of merchandise, and shall inspect such scales, weights or measures, and stamp them, at least once a year, as provided in section 635.

SEC. 638. It shall be the duty of the sealer of weights and measures, and it shall be lawful for him, at any reasonable hour, to enter any store, house or other building or place, where weights or measures are used, or where he supposes they may be used for the purpose of buying or selling any article, to inspect any scales, weights or measures contained therein, or to inspect the scales, weights or measures of any itinerant merchant or peddler of fruits, vegetables, clams, oysters, or other articles of merchandise.

SEC. 639. It shall be the duty of the sealer of weights and measures to inspect, at any reasonable hour, any scale, weight or measure, when called upon by any person; *provided*, said person shall tender to said sealer of weights and measures such a fee as the said sealer shall be entitled to on making the inspection.

All persons, their agents and drivers, selling hay or coal, shall, whenever requested by the purchaser of such hay or coal, give to him the weight of such hay or coal, and, if such purchaser request it, shall cause such hay or coal, and the cart or wagon containing the same, to be forthwith weighed by the sealer of weights and measures, on such scales as said sealer may select, and after delivering such hay or coal shall forthwith, before taking another load, return said cart or wagon to the same scales, and cause it to be weighed thereon.

Said sealer shall then give such purchaser a certificate of the weight of such hay or coal, and if the weight certified to by said sealer is not less than the weight previously given by such seller, agent or driver, said purchaser shall pay the fees of said sealer and weigher and shall pay the driver twenty-five cents for the detention thus caused; but if the weight certified to by said sealer is less than the weight previously given by such seller, agent or driver, then all of said expenses shall be paid by the seller of such hay or coal.

SEC. 640. Any person preventing or hindering the sealer of weights and measures from obtaining any article to be inspected, or obstructing him in the lawful exercise of his duties, shall forfeit and pay a penalty of not less than ten, nor more than one hundred dollars.

SEC. 641. All measures of capacity shall be of a form or shape approved by the sealer of weights and measures, and any person who shall use a measure the form or shape of which is condemned by him, shall forfeit and pay a penalty of not less than two, nor more than ten dollars for each offense.

SEC. 642. The sealer of weights and measures shall make a record of all acts performed by him, with the dates, and names of articles inspected, and of the owners of such articles, with such other remarks as he may deem necessary, and shall make a written report of such acts to the board of aldermen every two months, which said report shall also contain a separate statement of the amount of fees received by him from each person, and the names, business and place of business of all persons whose scales, weights or measures have been found to be below the standard.

SEC. 643. It shall be the duty of every policeman to assist the sealer of weights and measures when required, and to report to him any violation of this ordinance, within his knowledge, and the sealer of weights and measures shall report the same to the city attorney, for prosecution forthwith.

SEC. 644. The following list of fees shall be charged by the sealer of weights and measures for his services at his office: for testing each set of weights or balance, 15 cents; set of measures, gill to gallon, 15 cents; set of measures, dry, 15 cents; each yard stick, 3 cents; with an addition of 25 cents when inspected on the premises of the owner, and 25 cents for each hour when occupied in correcting any article; said fees to be paid by the person whose articles are inspected, but no more than one fee shall be charged for inspecting the same article during the same year, unless such article is found to be below the standard, in which case the sealer shall be entitled to charge double the above fees.

In addition to the above fees the city of New Haven shall pay to said sealer a salary of \$700 per year.

CHAPTER XXX.

WIRES.

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| <p>SEC.
645. How poles shall be set; name of owner to appear thereon; how painted.</p> <p>646. Distance of wires from crown of street.</p> <p>647. Distance of cross-arms of electric wires from telephone and telegraph wires; electric lighting wires; when not to run over housetops.</p> | <p>SEC.
648. Wires on cross-arms, how fastened; electric railway wires to have circuit breakers.</p> <p>649. Electric wires must have curved guard irons; when.</p> |
|--|---|

SEC. 645. All telegraph, telephone and electric light poles set on the streets of the city shall be of sufficient size to be set at least five feet in the ground and leave the lowest gain at least twenty-five feet in height above the curb. The top gain on all poles shall be reserved for the use of the city fire and police alarm systems, and shall be six inches from the top of the pole. All poles shall be stenciled with the name or initials of the company owning the same, each pole being numbered, and a record kept by the owners of the poles showing the numbers and locations of the poles. The numbers and names or initials shall be stenciled on the pole in white and in figures of one and one-half inches in height. All poles shall be painted a dark green color, and no signs, advertising or printed matter other than the numbers of said poles and the name or initials of the company owning the same shall be printed or attached in any way whatever to any of the poles set on the streets of the city.

All cross-arms must be securely bolted to poles and braced with cross-arm braces.

SEC. 646. All telegraph, telephone, and electric lighting wires running through or across the streets of the city, shall be at a distance of not less than twenty-five feet from the crown of the street

and shall run as nearly as practicable at right angles into the buildings where used.

The distance of all wires from the city fire alarm wires shall be at least two feet.

SEC. 647. In all cases where electric light or electric power wires shall be run on the same poles as telephone or telegraph wires, the perpendicular distance between the cross arms bearing the electric light or power wires and the arms bearing such other wires shall not be less than twenty inches from center to center, except in cases of junction poles at street corners and other places where reverse arms are used, in which case the arms shall not be less than twelve inches from center to center.

Electric lighting wires shall not be run over house-tops except where necessary to buildings using the same, and all electric lighting wires shall be properly insulated and joints and bare places securely tapped, and if run through wood parts of buildings, shall pass through a tube of either hard rubber or glass of a thickness of not less than one-quarter of an inch.

All persons using the electric light shall conform to the full requirements of the National Board of Underwriters.

SEC. 648. All wires attached to cross-arms on poles shall be fastened to the side of the insulator nearest the poles.

Electric light and trolley feed wires shall in all cases be attached at a horizontal distance of not less than twelve inches from the center of the poles on which they are supported.

All span and guard wires of electric railway companies shall have circuit breakers cut into them not less than six feet nor more than ten feet from the curb line.

SEC. 649. In all cases where electric light or electric power wires shall be run other than in a straight line, curved guard irons shall be used on the ends of the cross arms, so attached as to fully prevent the wires on the cross-arms from falling in case of their becoming detached from the cross-arms.

BOARD OF HEALTH.

RULES AND REGULATIONS ADOPTED UNDER SECTION 94 OF CHARTER—SPITTING REGULATION.

That spitting upon the floors of public conveyances or upon the premises of public buildings, theatres, opera houses, halls and the like, except in proper receptacles provided for said purpose, is hereby prohibited. It shall be the duty of owners, agents, corporations or persons having charge of said public conveyances, buildings, theatres, opera houses, halls, and the like to display in a conspicuous place and manner proper signs calling attention to this regulation, said signs to be duly approved by said board of health. Every person or corporation willfully or carelessly violating this regulation or refusing to display said signs shall forfeit and pay a penalty of not less than five, nor more than fifty dollars for each violation.

Approved by the board of health, January 8, 1901.

REGULATION DE KEEPING OF FOWLS, DUCKS, CHICKENS, ETC.

The keeping of fowls, ducks, chickens and the like within the limits of the city of New Haven, without a special permit therefor from the board of health of said city, is hereby prohibited.

Every person violating this regulation, on conviction, shall pay a penalty of not less than five, nor more than fifty dollars.

Approved by the board of health, July 9, 1901.

HEALTH REGULATION DE TUBERCULOSIS.

SEC. 1. Pulmonary tuberculosis is hereby declared to be an infectious and communicable disease, and dangerous to the public health. Every physician is requested to report in writing to the board of health the name, age, sex, occupation and address of every person coming under his observation having such disease.

SEC. 2. A room or apartment that has been occupied by a person suffering with pulmonary tuberculosis, shall not again be used

or occupied after the removal or death of the patient until the same shall have been disinfected, under the Supervision of the board of health.

Sec. 3. Any person who owns, controls, or has charge of a room or apartment that has been occupied by such tuberculosis person and allows the same again to be used or occupied before being disinfected according to section 2, shall be fined not more than fifty dollars.

Approved by the board of health, December 10, 1901.

NEW HAVEN PUBLIC PARKS.

RULES AND REGULATIONS OF THE PARK COMMISSION.

1. No domestic animals, except dogs, shall be permitted to enter or to go at large in any of said parks, either with or without a keeper. Dogs must be held in leash by the owners, otherwise they may be killed by any park-keeper, special constable, or policeman.

2. No person shall pick any flowers, foliage or fruit, or cut break, dig up, or in any manner mutilate or injure any tree, shrub, plant, grass, turf, railing, seat, fence, structure, or other thing in any of said parks, or cut, carve, paint, mark or paste on any tree, stone, fence, wall, building, monument, or other object therein, any bill, advertisement or inscription whatsoever.

3. No person shall carry or have any fire-arms on any of said parks, and no fire-arms shall be discharged from, or into any of the same. No stone or other missile shall be thrown or rolled from, into, within or upon any of said parks, except in such place as the commission may designate as a ball-field, in playing games in which a ball is used.

4. No person shall ride or drive on any road within any of said parks at a faster gait than eight miles per hour, and this shall apply to the use of cycles.

5. No threatening, abusive, boisterous, insulting or indecent language, or gesture shall be used on any of said parks, nor shall any oration, harangue, or other public demonstration be made, unless by special authority of said commission.

6. No person shall expose any article or thing for sale on any of said parks, unless licensed therefor by said commission.

7. No person shall bathe naked or otherwise in any waters in, or adjacent to any of said parks, or be naked within any of said parks, except in such places and subject to such regulations, as the commission may, from time to time, specially designate by a public notice set up for that purpose within the park.

8. No person, unless by authority of said commission, shall light, kindle, or use any fire on any of said parks.

9. No person shall ride or drive upon the grass, lawns, or foot-paths of any of said parks.

10. No person shall disturb or injure any bird, bird's nest or eggs, or any squirrel or other animal within any of said parks.

11. No person shall discharge or set off, on or within any of said parks, any fire-crackers, torpedoes, rockets or other fire-works, except by license from said commission.

12. No person shall dig up or remove any dirt, stones, rock, or other thing, whatsoever, make any excavation, quarry any stone, or lay or set off any blast, or cause or assist in doing any of said things, within any of said parks, without the special order or license of said commission.

13. No bottles, broken glass, ashes, waste paper, or other rubbish, shall be left in any of said parks, except at such place or places as may be specially designated by the commission or by a sign marked public dump.

14. No cart, wagon, dray, truck or other vehicle, carrying lumber, stone, brick, or any other goods, merchandise, or articles of freight, or which is commonly used for the carriage thereof, shall except in service of the commission, enter any part of said parks, except such public highways as existed before the same was established as a park.

15. No horse shall be hitched to any shrub or tree in any of said parks.

16. Any person violating either the first, second, fourth, fifth, sixth, seventh, ninth, eleventh, twelfth, thirteenth or fifteenth of the foregoing rules and regulations, shall forfeit and pay for each offense a penalty of ten dollars. Any person violating any of said rules and regulations shall forfeit and pay for each offense a penalty of twenty dollars.

17. No automobile or other motor vehicle shall be taken into or driven upon either East Rock Park, West Rock Park or Fort Wooster Park.

Any person violating this regulation shall forfeit and pay to the city a penalty of twenty dollars.

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ORDINANCE DE EXPRESS STANDS.

Be it ordained by the Board of Aldermen of the City of New Haven:

SEC. 423 The following places in said city are designated as stands for express and baggage wagons exclusively :

The southeast side of Broad Street, between Oak Street and Commerce Street ; Chapel Street, north side, between College Street and a point 228 feet west of the west line of the roadway of Temple Street.

The driver of any such express or baggage wagon shall be required to remain upon said wagon or alongside thereof while said wagon shall remain upon the public stand.

Adopted by the Board of Aldermen October 28, 1907.

Approved by the Mayor, October 31 1907.

Operative and in effect November 8, 1907.

Attest : EDWARD A. STREET,
City Clerk.

ORDINANCE DE TICKET SPECULATION.

Be it ordained by the Board of Aldermen of the City of New Haven :

SEC. 19 A. 1. All tickets of admission to public places of amusement, performance, sport, exhibition or athletic contest, shall have printed on them in a conspicuous manner the price for which they are to be sold and the date or dates for which they are issued.

2. No person, persons or corporation shall sell or offer for sale in or upon any street, park, alley, or other public place in the City of New Haven, any ticket, privilege, or license of admission to any place of public amusement, performance, sport, exhibition, or athletic contest ; nor shall any person, persons or corporations sell or offer for sale anywhere within said City of New Haven any ticket, privilege, or license of admission to any place of public amusement, performance, sport, exhibition or athletic contest at a price greater than the price printed thereon, or at a price greater than the actual or fixed price of admission to such place of public amusement, performance, sport, exhibition, or athletic contest.

3. Any person, persons or corporation violating any of the provisions of this ordinance shall be fined not less than \$10.00 nor more than \$100 for each offense, and the sale of each ticket sold in violation of any provision of this ordinance shall constitute a separate and distinct offense.

Adopted by the Board of Aldermen, September 30, 1907.

Approved by the Mayor, October 8, 1907.

Operative and in effect October 15, 1907.

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City Clerk.

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The driver of any such express or baggage wagon shall be required to remain upon said wagon or alongside thereof while said wagon shall remain upon the public stand.

Adopted by the Board of Aldermen October 28, 1907

Approved by the Mayor, October 31 1907.

Operative and in effect November 8, 1907.

Attest : EDWARD A. STREET,
City Clerk.

ORDINANCE DE CONCERNING MUSIC IN RESTAURANTS AND HOTELS,
AMENDING SECTION 279 OF THE ORDINANCES OF
THE CITY OF NEW HAVEN.

Be it ordained by the Board of Aldermen of the City of New Haven:

SEC. 279. Every concert saloon, and every place, enclosure, or structure in said city, in which spirituous liquors, ale, wine or lager beer is commonly sold, or given away, or reputed to be sold, or given away, and in which any exhibition of dancing, acting, singing or music is also permitted; and all separate, but contiguous, or nearly contiguous structures, used or intended to be used, in connection with each other, for the selling or giving away in one, spirituous liquors, ale, wine or lager beer, and also for any such exhibition in the other, shall be deemed a common nuisance; and every person keeping any such saloon, place, enclosure, structure or structures, and every person taking part in any such exhibition therein, shall be deemed guilty of counseling and maintaining a common nuisance, and shall forfeit and pay not less than ten, nor more than one hundred dollars for every such offense.

Provided, however, that the Chief of Police with the advice and consent of the mayor, may issue a license to the proprietors of hotels and bonafide restaurants deemed to be respectable by said Chief, which license shall permit said licensees to have orchestra, or instrumental music in their dining rooms during such hours as may be prescribed by said Chief of Police.

The fee for said license to be charged and paid shall be \$5.00 and said license shall be revokable at the discretion of said Chief.

Amended by the Board of Aldermen, July 2, 1906.

Approved by the Mayor, July 10, 1906.

Operative and in effect July 18, 1906.

Attest: EDWARD A. STREET,
City Clerk.



to Market street; through the center of Market street to Haven street; through the center of Haven street to Exchange street; through the center of Exchange street to James Street; through the center of James street to Wolcott street; through the center of Wolcott street to Mill street; through the center of Mill street to Chapel street; through the center of Chapel street to the channel of Mill River; to the center of Tomlinson Bridge, to the end of Long Wharf, thence by straight line to the point of beginning.

Amendment adopted by the Board of Aldermen, Dec. 9, 1907.

Approved by the Mayor, Dec. 11, 1907.

Operative and in effect, Dec. 19, 1907.

Attest: EDWARD A. STREET,
City Clerk.

AMENDMENT TO ORDINANCE, SECTION 56, DE FIRE DISTRICT.

Be it ordained by the Board of Aldermen of the City of New Haven:

Sec. 56. The portion of the City included within the following boundaries shall be known as the fire district, namely:

Beginning at the intersection of West Water street with the New York, New Haven & Hartford Railroad, and thence following the tracks of said Railroad to Cedar street through the center of Cedar street to the center of Minor street, through the center of Minor street to the center of Howard avenue; through the center of Howard avenue to a point 200 feet south of Congress avenue; thence in a westerly direction parallel with Congress avenue to the center of Daggett street; through the center of Daggett street to the center of Congress avenue; through the center of Congress avenue to the center of Ward street; through the center of Ward street to a point 200 feet north of the center line of Congress avenue; thence in an easterly direction and parallel with the center line of Congress avenue to the center of Howard avenue; through the center of Howard avenue to the center of Howe street; through the center of Howe street and Dixwell avenue to Bristol street; thence in an easterly direction in a straight line, through the center of Bristol street to the center of Ashmun street; through the center of Ashmun street to the center of Lock street; through the center of Lock street to a point midway between the rails of the New Haven & Northampton Railroad, to the center of Sachem street; through the center of Sachem street to the center of Whitney avenue; through the center of Whitney avenue to a point 185 feet south of Humphrey street, thence in an easterly direction in a line parallel with Humphrey street; to the center of Orange street, thence in a southerly direction to the center of Clark street; through the center of Clark street to the center of State street; through the center of State street, to a point 110 feet west of the west line of Mill River street measuring at a right angle with said west line; thence in a southerly direction and parallel with the westerly line of Mill River street to the center of Walnut street; through the center of Walnut street to the tracks of the New York, New Haven & Hartford Railroad Co., and following the tracks to James street; through the center of James street

be at least eight feet in the clear above the sidewalk. No canopy, canvas or other awning requiring vertical supports shall extend into the street and over the sidewalk except by consent of the board of aldermen. Any awning or post supporting the same, heretofore erected, shall not be affected by the provisions of the foregoing ordinance. But it shall be the duty of the Director of Public Works to carefully examine all awnings and the supports thereof, and if in his opinion the awnings or posts supporting the same, are unsafe, the owner shall, within ten days after notification by the Director of Public Works, make such changes as the Director of Public Works deems necessary for public safety, and in all cases where existing posts are deemed by the Director of Public Works to be unsafe, it shall be the duty of the owner to replace them with posts made of iron, and all such posts shall be kept painted. The Director of Public Works may give permission for the erection of temporary structures of canvas for weddings or other social functions.

Amended by the Board of Aldermen, July 2, 1906.

Approved by the Mayor, July 11, 1906.

Operative and in effect July 19, 1906.

Attest: EDWARD A. STREET,
City Clerk.

ORDINANCE DE STREET SIGNS AND SHOW BILLS, ETC., OVER STREET
LINE, AMENDING SECTION 511 OF THE ORDINANCES
OF THE CITY OF NEW HAVEN.

Be it ordained by the Board of Aldermen of the City of New Haven:

SEC. 511. No sign, show bill, show board, goods, wares, merchandise or other thing shall project into any street beyond the street line; provided, however, that a sign, show bill or show board of wood or metal and so attached to a building as to be stationary and so that it shall not swing or turn, its lowest part being not less than eight feet above the sidewalk, may, when constructed and secured in a manner approved by the Director of Public Works, extend into the street beyond the street line a distance not exceeding three feet from the street line; and provided further that when and so long as constructed, secured and operated in a manner approved by the Director of Public Works, a clock, without names or advertisements painted or in any other manner affixed thereon and not exceeding three feet in diameter and the lowest part of which shall be not less than eight feet above the sidewalk, may be attached to an iron post placed next to and along the inside of the curbstone; and provided further that, subject to the regulation by the Director of Public Works as to material, size, method of suspension and time of display, banners or flags may be suspended across or over the streets and sidewalks which may have indicated or affixed upon them names of political parties and of candidates for office and portraits of such candidates. No flag or banner shall be used for advertising purposes.

All posts fixed in any street for the purpose of supporting any awning shall be of iron not exceeding four inches in diameter and the rail crossing the same shall be of iron. The said post shall be placed next to and along the inside of the curb stone, and the cross rail which is extended to support the awning shall not be less than eight nor more than ten feet in height above the sidewalk, and the said cross rail shall be strongly secured to the upright posts.

Drop awnings, made of canvas, without vertical supports, must in no case extend beyond eight feet from the building, and must

(OVER)

ORDINANCE DE LOITERING OF CHILDREN IN PUBLIC PLACES.

Be it ordained by the Board of Aldermen of the City of New Haven:

SEC. 283 A. 1. No child under the age of fourteen years shall be allowed to loiter upon any street, alley or public place within the corporate limits of the City of New Haven between the hours of ten o'clock P. M. and three o'clock A. M. unless accompanied by its parent or guardian.

2. No parent or guardian shall allow any child under the age of fourteen years under the care, custody or control of said parent or guardian to loiter upon any street, alley or public place within the corporate limits of the City of New Haven between the hours of ten o'clock P. M. and three o'clock A. M. unless accompanied by said parent or guardian.

3. No child under the age of fourteen years shall be allowed to peddle or sell upon any street, alley or public place within the corporate limits of the City of New Haven between the hours of ten o'clock P. M. and three o'clock A. M. any newspapers, periodicals or other articles of merchandise.

4. No parent or guardian shall allow any child under the age of fourteen years under the care, custody or control of said parent or guardian to peddle or sell upon any street, alley or public place within the corporate limits of the City of New Haven between the hours of ten o'clock P. M. and three o'clock A. M. any newspapers, periodicals or other articles of merchandse.

5. Any child violating any of the provisions of Sections One and Three of this act shall be fined not more than twenty-five dollars. Any person violating any of the provisions of Sections Two and Four of this act shall be fined not more than fifty dollars.

Adopted by the Board of Aldermen, February 5, 1906.

Approved by the Mayor, February 7, 1906.

Operative and in effect February 16, 1906.

Attest: EDWARD A. STREET,

City Clerk.

ORDINANCE DE LICENSES FOR SALE AND STORAGE OF INFLAM-
MABLE OILS, ETC.

Be it ordained by the Board of Aldermen of the City of New Haven :

SEC. 622. No person shall receive a license to sell or keep on sale or storage any of the substances mentioned in this heading upon any street or wharf nor in any building or place not approved by the Fire Marshal, nor upon any floor of a building above the first floor, nor in any receptacle except in the original unbroken receptacle in which they are shipped, or in metallic vessels approved in writing by the Fire Marshal.

Adopted by Board of Aldermen, April 23, 1906.

Approved by the Mayor, April 23, 1906.

Operative and in effect May 1, 1906.

Attest : EDWARD A. STREET,
City Clerk.

ORDINANCE DE LICENSES FOR THEATRICAL EXHIBITIONS, PUBLIC
AMUSEMENTS AND EXHIBITIONS OF ANY DESCRIPTION AND
REGULATING THE DISPLAY OF BILL POSTERS, AMENDING
SECTIONS 16, 17 AND 313 OF THE ORDINANCES OF
THE CITY OF NEW HAVEN.

Be it ordained by the Board of Aldermen of the City of New Haven:

SEC. 16. The chief of police, may issue a license as provided in the ordinance concerning licenses and permits, for any public concert, dance, play, farce, show, tragedy, comedy, pantomime, or other theatrical or dramatic performance, exhibition of gymnastics, dexterity, or skill, circus or exhibition of animals or curiosities, for gain, specifying in such license the time and particular place of exhibition, provided that no part of said exhibition, show or performance shall be contrary to the statutes of this state, or the ordinances of said city.

Every person who shall take any part, as actor, manager or agent in any such show, exhibition, dance, or performance, and every owner or other person having charge of any building, room or premises in said city, who shall suffer or permit therein such show, exhibition, dance, or performance, without a license being first obtained therefor, as aforesaid, shall forfeit and pay a penalty of not less than twenty, nor more than one hundred dollars for every such offense.

Amended by the Board of Aldermen, July 2, 1906.

Approved by the Mayor, July 11, 1906.

Operative and in effect July 19, 1906.

Attest: EDWARD A. STREET,

City Clerk.

SEC. 267b. It shall be unlawful for any person to have in his possession with intent to sell, offer, or expose for sale or sell, deliver, for sale or consumption within said City of New Haven any milk in which ice has been placed.

SEC. 268. Each licensee shall, before engaging in the sale of milk, cause the name and number of his license to be legibly placed and kept in a conspicuous place on each side of the outer side of all carriages, wagons, carts, sleighs or other vehicles used by him in the conveyance and sale of milk. Each licensee shall, before offering for sale or delivery in the City of New Haven milk bought or furnished from any other persons or localities than those stated in his application for license, file with the board of health a written statement of the names of the persons from whom such new supply is to be obtained and the localities from which it shall be produced.

Adopted by the Board of Aldermen, December 3, 1906.

Approved by the Mayor, December 6, 1906.

Operative and in effect, December 13, 1906.

Attest: EDWARD A. STREET,
City Clerk.

ORDINANCE DE SALE AND DELIVERY OF MILK OF THE ORDINANCES OF THE CITY OF NEW HAVEN.

Be it ordained by the Board of Aldermen of the City of New Haven:

SEC. 267. It shall be unlawful for any person to have in his possession, with intent to sell, offer or expose for sale, or sell, deliver for sale, or consumption within this city, any milk without having first obtained from the board of health a license so to do, which license shall be issued on application in writing to said board of health, upon blanks provided for such purpose, and on payment to said board of health of a license fee of fifty cents. Said license shall not be assignable, shall be effective until the first of May next ensuing, and may be renewed for one year upon its expiration, on application and payment of said fee as aforesaid, but the said board of health shall have the right and authority to refuse to license any person who has violated any of the provisions of this ordinance, and may revoke and cancel such license, at any time, for a violation of the provisions of this ordinance. Every application for a license shall contain a statement of the names of the persons other than the applicant from whom such applicant buys or receives milk for the purpose of selling the same within the City of New Haven, and the locality from which the milk so bought or furnished is produced.

SEC. 267 a. It shall be unlawful for any person to have in his possession with intent to sell, offer or expose for sale, or sell, deliver for sale, or consumption within this city, any milk in cans, pails or receptacles without covers and which do not comply with such regulations as may be from time to time made by the board of health relating thereto.

It shall be unlawful to fill bottles at any place within the limits of the City of New Haven other than a dairy or milk depot, nor until such bottles shall have been thoroughly cleansed; and it shall be unlawful for any person to have in his possession with intent to sell, offer or expose for sale, or sell, deliver for sale, or consumption within said city, any milk in bottles which shall have been placed in such bottles at any place in the City of New Haven other than a dairy or milk depot as aforesaid.

CHAPTER 74.

A Public Act concerning the Assessment and Collection of Taxes in the
Town of New Haven.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. The assessors of the town and city of New Haven shall, on or before the first day of June, annually, post on the signpost in said city, or publish in one or more newspapers published in said city, a notice requiring all persons therein liable to pay taxes to bring in written or printed lists of the taxable property belonging to them on the first day of June in that year.

Sec. 2. Each resident of the city of New Haven liable to give in a list and pay taxes therein shall give in the list required by section 2303 of the general statutes on or before the first day of July, annually. When the first day of July comes on Sunday, then said list may be given in on the day following.

Sec. 3. The assessors of the town of New Haven shall give the notice required by section 2307 of the general statutes and amendments thereof on or before the twentieth day of September next following the making of any addition to the list of any person.

Sec. 4. The assessors of the town of New Haven shall, on or before the thirtieth day of September, lodge the lists in the town clerk's or assessors' office, and make and lodge the abstracts in the town clerk's office, in the manner prescribed by section 2310 of the general statutes and amendments thereof.

Sec. 5. In the town of New Haven, the property of any trading, mercantile, manufacturing, or mechanical business shall be assessed and valued in all respects as provided by section 2342 of the general statutes; provided, however, that the average amount of goods kept on hand for sale during the year, or any portion of the year when the business has not been carried on for a year previous to the first day of June, shall be the rule of assessment and taxation in said town.

Sec. 6. The board of relief in the town of New Haven shall meet on the first business day of October, annually, and may adjourn from time to time to a day not later than the last business day of said October, on

or before which day said board shall complete the duties imposed upon it; and said board shall give notice of its meetings as prescribed by law.

Sec. 7. No appeal from the doings of the assessors in the town of New Haven, or application for deduction of amount of indebtedness from the list of any debtor shall be heard or entertained by the board of relief unless preferred to it at its meeting held on the first business day of October, or at some adjourned meeting held within twenty days thereafter.

Sec. 8. The lien for taxes provided by section 2396 of the general statutes shall, as to real estate situated within the town of New Haven, exist from the first day of June in the year previous to that in which such taxes become due, and the precedence of such lien shall be determined as of the first day of June and not of the first day of October, but in all other respects as provided in said section.

Sec. 9. This act shall take effect on March 1, 1908.

Approved, May 7, 1907.

AMENDMENTS TO
CHARTER

OF THE

CITY OF NEW HAVEN

PASSED BY THE GENERAL ASSEMBLY

1907



(House Joint Resolution, Substitute for House Bill No. 135.)

No. 83.

AUTHORIZING THE CITY OF NEW HAVEN TO ISSUE IMPROVEMENT BONDS.

Resolved by this Assembly:

Section 1. That the city of New Haven be and hereby is authorized and empowered to issue, under the corporate name and seal and upon the credit of said city, bonds or other certificates of debt to an amount not exceeding in the whole four hundred and seventy-two thousand dollars, which bonds shall be denominated Improvement Bonds of the City of New Haven, and the same, or the avails thereof when sold, may be appropriated by said city in the manner and in the amounts hereinafter set forth for the payment of any expenses incurred by said city in carrying out the improvements hereinafter set forth.

Sec. 2. Said bonds may be issued in such sums, and shall be prepared, signed, and authenticated in such manner as said city by its board of finance may determine; shall be made payable not more than twenty-five years from the date of their issue; shall bear interest at a rate not exceeding four per centum per annum, payable semi-annually; and may be sold from time to time under the direction of the mayor and board of finance of said city; and said bonds or certificates, when issued as aforesaid, shall be obligatory upon the city of New Haven to all intents and purposes, and may be enforced and collected in the same manner and to the same extent that debts contracted by municipal corporations in this state are enforced.

Sec. 3. Said bonds, or the avails thereof, may be appropriated for the payment of the expenses of the following particular improvements, and in the amounts hereinafter designated respectively as follows: To an amount not exceeding in the aggregate seventy-five thousand dollars for the extension of Humphrey street; to an amount not exceeding in the aggregate thirty-five thousand dollars for the widening of St. John street; to an amount not exceeding in the aggregate sixty-two thousand dollars for the extension of Crown street; to an amount not exceeding in the aggregate one hundred thousand dollars for a lake at the foot of East Rock, public play grounds, or such other sanitary improvements, or improvements for the beautification of the city as may be determined upon; to an amount not exceeding in the aggregate one hundred thousand dollars for permanent pavements in streets approved by the paving commission; to an amount not exceeding in the aggregate one hundred thousand dollars for a new school building or buildings and land for same.

Approved April 9, 1907.

(House Joint Resolution, Substitute for House Bill No. 430.)

84.

AUTHORIZING THE CITY OF NEW HAVEN TO BORROW MONEY
FOR THE PURCHASE OF LAND.

Resolved by this Assembly:

Section 1. That the city of New Haven be and hereby is authorized and empowered to borrow, at such times and upon such terms as may be approved by its board of finance, a sum not exceeding in the aggregate one hundred and fifty thousand dollars, for a term not exceeding four years, and to issue its notes or certificates of indebtedness therefor.

Sec. 2. Said notes shall be prepared, signed, and authenticated in such manner as the board of finance shall determine, and may, from time to time, be issued and sold under the direction of said board of finance; and the avails thereof shall be used in the purchase of land for the site for a free public library, and for other buildings, and for no other purpose. Said avails may be so expended in accordance with appropriations already made and such further appropriations for the purposes aforesaid as may be made by the board of finance, with the approval or by the request of the board of aldermen.

Approved April 10, 1907.

(Substitute for House Bill No. 45.)

184.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW
HAVEN CONCERNING THE JURISDICTION
OF THE CITY COURT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section one hundred and seventy-six of the charter of the city of New Haven as amended by an act approved May 12, 1905, is hereby amended by striking out, commencing in the fifteenth line of said section as amended, the words "provided, that the party so moving for a jury shall enter into a recognizance with surety to the adverse party in such sum as the court shall order, conditioned for the payment of all costs in case final judgment is rendered against him" and by adding at the end of said section the following: "In all civil actions pending before any justice of the peace residing in the town of New Haven, except actions of summary process and bastardy proceedings, any party thereto may, at any time, make application to the clerk of said city court of New Haven for the transfer of said action to the docket of said

city court, and upon the payment to said clerk, by said applicant, of the sum of one dollar and fifty cents said clerk shall proceed forthwith to obtain the files and records of said case from the justice of the peace before whom said case is pending and enter said case upon the docket of said city court. The justice of the peace before whom said case is pending, or, if he be dead, or removed from the state, or otherwise incapacitated, the person having charge or possession of his files and records, upon receipt of fifty cents from said clerk of said city court, shall deliver to said clerk the files and records of said case and note the transfer thereof on the docket of said justice of the peace. Said clerk of said city court shall then forthwith give written notice of said transfer to all parties to said cause, and twelve days thereafter said city court shall proceed in relation to said case as though it had been originally made returnable to said court. Nothing herein contained shall be so construed as to enable any person indebted to a justice of the peace for fees on account of said case to avoid the payment thereof."

Approved May 14, 1907.

(House Bill No. 459.)

185.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW
HAVEN CONCERNING THE SINKING FUND COMMISSION.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

Section 1. Section one hundred and fifty-nine of the charter of the city of New Haven is hereby amended by adding at the end thereof the following: "During the month of June in each year the sinking fund commission, unless a bank shall have been designated as hereinafter provided, shall by vote designate one of its members to be treasurer for the period of one year from the first day of the next July, and shall file a certificate in writing of such designation, signed by not less than two of its members, with the city clerk, who shall record the same. The treasurer shall give such additional bond as may be required and approved by the board of finance, and shall have and be charged with the custody and possession of all moneys and securities held by or for the account of said commission, and he shall be the receiving and disbursing agent for said commission. But said sinking fund commission may, at any time, designate an incorporated bank or trust company doing business in the city of New Haven to be, for a period not exceeding three years, the financial agent of said sinking fund commission, in which case said commission shall not appoint a treasurer. Said commission shall transmit a written certificate of such designation to the city clerk, and, if and when the board of finance shall have approved such designation,

and the bank or trust company so designated shall have signified to the city clerk in writing its acceptance thereof, the bank or trust company so designated shall be, for the period aforesaid, the receiving and disbursing agent of said commission, and shall have the custody and possession of all moneys and securities held for and on account of said commission. For the service so to be performed, such compensation as is reasonable may be allowed and approved by the board of finance to the bank or trust company so designated and may be paid and charged against the sinking fund without specific appropriation therefor. It shall be the duty of the sinking fund commission, in the months of January and July of each year, to inspect and examine the securities and funds in the custody and possession of its treasurer, or of any bank or trust company so designated.”

Sec. 2. This act shall take effect from its passage.

Approved May 14, 1907.

(House Bill No. 146.)

No. 186.

AN ACT ESTABLISHING A RECORD COMMISSION IN THE CITY
OF NEW HAVEN. .

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

Section 1. There shall be in the City of New Haven a record commission to consist of three citizens to be nominated by the mayor and confirmed by the board of aldermen, each to hold office for the term of three years. When this act shall take effect the mayor shall nominate three members of said commission, one for the term of three years from the first day of July, 1907, and one for the term of two years from the first day of July, 1907, and one for the term of one year from the first day of July, 1907, and thereafter shall nominate one member of such commission during the month of June in each year for the term of three years from the first day of July following. The members of said commission shall be chosen from such citizens as are especially qualified, by reason of their experience and knowledge concerning public records, to exercise an intelligent judgment in respect to matters liable to be submitted to them, and shall serve without pay. Said commission shall have charge of the preparation of the copy for printing and of the printing and distribution of such volumes of ancient or valuable records as the board of aldermen may from time to time, order printed; shall designate the institutions, public bodies, and officials to whom copies may be distributed free of expense, and the terms on which copies may be obtained by private individuals; and shall, from time to time, make such recom-

mendations to said board concerning the care, preservation, and printing of such records as it shall deem advisable. The board of aldermen may also refer to said commission for advice or action any matter pertaining to said records.

Sec. 2. This act shall take effect from its passage.

Approved May 14, 1907.

(Substitute for House Bill No. 658.)

221.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW
HAVEN CONCERNING THE DEPARTMENT OF POLICE SERVICE.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

Section forty-seven of the charter of the city of New Haven as amended by an act approved April 9, 1901, is hereby amended by striking out in the third and fourth lines of said section as amended the words "and employes" and by inserting in lieu thereof the words "and electricians," so that said section as amended shall read as follows: Said department shall preserve the peace, good order, and security of said city, and shall consist of a chief and such officers, policemen, supernumeraries, special constables, police matrons, and electricians as the board of police commissioners may from time to time prescribe. All promotions of officers and members of the police force shall be made by the board of police commissioners on grounds of meritorious police service and superior capacity, and shall be as follows: sergeants of police shall be selected from among patrolmen, and captains from among the sergeants. All appointments, including special constables, and promotions, except the chief, shall be made by said board in accordance with the rules of the civil service board, but no one except special constables shall be permanently appointed until he shall have performed active police service as supernumerary for at least six months. Said board of police commissioners shall have power to designate members of such supernumerary force for such period of active service as it may think proper. The board of police commissioners may establish a detective bureau, which shall be under the charge and direction of a captain of the detective force, who shall be subject to the order of the chief of police.

Approved May 22, 1907.

(Substitute for House Bill No. 162.)

217.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW
HAVEN CONCERNING COLLECTION OF TAXES AND
MAKING OF ESTIMATES AND APPROPRIATIONS,
AND THE TAX COMMITTEE.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section thirty-two of the charter of the city of New Haven is hereby amended by striking out the words "first Monday in September" in the second line thereof and inserting in lieu thereof the words "last day of December," so that said section as amended shall read as follows: It shall be the duty of the collector to report to the assistant corporation counsel, on the last day of December in each year, all taxes and assessments upon property and all poll and military taxes which have not been abated according to law and which have been due and unpaid for a period of one year; and it shall be the duty of the assistant corporation counsel to proceed forthwith to take all legal steps necessary to enforce the payment of said taxes and assessments. When ever any tax due the said city is abated, the authority making the abatement shall cause notice thereof to be given to the collector.

Section 2. Section forty-four of said charter as amended by an act approved April 30, 1901, is hereby amended by striking out in the first line thereof the word "November" and inserting in lieu thereof the word "September," by striking out in the thirteenth line the words "during the first week of the month of December" and inserting in lieu thereof the words "on or before the first Monday of October," and by striking out in the sixteenth line the word "December" and inserting in lieu thereof the word "October," so that said section as amended shall read as follows: In the month of September in each year the board of finance shall make estimates of the moneys necessary to be appropriated for the expenses of said city for the year next ensuing, beginning January first, and of the rate of taxation required to meet the same, and shall classify the said expenses under appropriate heads and departments. In the preparation of said estimates said board of finance shall give notice to each board or department of a definite time and place where they will meet to consider the needs of such board or department; said board of finance shall recommend such tax upon the polls and ratable estates within the limits of said city as it shall deem necessary to meet such expenses. Said estimates and the rate of taxation recommended shall be submitted to the court of common council on or before the first Monday of October next succeeding, and, within five days after said submission, shall be published once in each of the daily newspapers in said city; and after such publication and before the twentieth day of said month of October said court shall proceed to consider and act upon said

estimates, and said appropriations and rate of taxation, so reported by the board of finance to said court, shall be final, and the appropriations and rate of taxation shall be the legal appropriations and the legal rate of taxation for said city, unless changed by a two-thirds vote of each board of the court of common council; but said court of common council shall not have power to increase the appropriations, or any item thereof, or the rate of taxation as recommended by the board of finance, nor shall said court of common council reduce any item fixed by said board of finance for the payment of interest or principal of the municipal debt. But the total amount of such annual appropriations for any one year shall not exceed the estimated income for that year, nor shall any city or department officer or board of commissioners of said city make any expenditures except for the objects and purposes specified by said court of common council. Nor shall any city or department officer or board of commissioners of said city incur any liability or expense by contract or otherwise for which said city shall be responsible in excess of the appropriations so made by said board of finance and said court of common council. The board of finance, upon the recommendation of the court of common council, shall have power to make appropriations for public receptions, parades, concerts and celebrations to an amount not exceeding fifteen hundred dollars for any one of said purposes in any one year. No amount appropriated for any one purpose, whether general or special, shall be used or appropriated for any other purpose except the same be authorized by the board of finance.

Sec. 3. Section one hundred and forty-eight of said charter is hereby amended by striking out the word "October" in the first line thereof and inserting in lieu thereof the word "August," so that said section as amended shall read as follows: On or before the tenth day of August in each year, each department, and every executive officer not connected with any department, shall submit to the board of finance an estimate of the expenses of such department or office for the ensuing year, beginning on the first day of January next following, stating in detail, so far as possible, the purposes for which such expenses will be incurred.

Sec. 4. Section one hundred and fifty of said charter as amended by an act amending said charter concerning the collection of taxes, approved June 21, 1905, is hereby amended to read as follows: All taxes laid by said city or town, or by the New Haven city school district, on the grand list of 1908, shall become due and payable on the first day of January, 1909, and all taxes thereafter laid by said city or town, or by the New Haven city school district, shall become due and payable on the first day of January next after they are laid. If one-half in amount of such taxes be paid on or before the first day of March next after they become payable, no interest thereon shall be charged until after the first day of the next succeeding September, and then only on such amount of said tax as then remains unpaid; that is to say, if more than one-half of the tax assessed against any person or corporation shall remain unpaid on the first day of March next after such tax shall have become due and payable, interest shall be collected at nine per centum per annum

from the first day of March on so much as then remains unpaid exceeding such one-half; and on all taxes remaining unpaid on the first day of September next after they shall have become due and payable, interest at said rate shall be collected from said first day of September until paid. On all taxes laid on the grand list of 1907 which shall remain unpaid on the first day of August, 1908, and on all taxes remaining unpaid on the day when this act shall take effect, interest shall be collected from the date when such taxes became or shall become due, until they are paid, at the rate of nine per centum per annum.

Sec. 5. Section two hundred and three of said charter as amended by an act approved April 11, 1901, is hereby amended by striking out the words "the first day of November" in the first line thereof and inserting in lieu thereof the words "the tenth day of August," so that said section as amended shall read as follows: On or before the tenth day of August in each year, said board shall submit to the board of finance in said city estimates of the amount of money required by it for the ensuing fiscal year, specifying the purposes for which each part is required. Said board shall cause to be kept a record showing the age, sex, nationality, and probable cause of destitution of each person whom it relieves, the time when public relief was first given, the amount of relief given to each person, the birthplace of each, the number of applicants for relief in each month, and the monthly expenditure for all relief; and said record shall at all reasonable times be open to the inspection of the public.

Sec. 6. There shall be in the city of New Haven a committee to be known as the tax committee, with the same powers and duties, and to be constituted in the same manner, as is set forth in an act amending the charter of the city of New Haven concerning the abatement of taxes, approved April 19, 1905, the term of which committee shall be from July 1, 1907, to July 1, 1909.

Sec. 7. This act shall take effect January 1, 1908, except section six, which section shall take effect from the passage of this act.

Approved June 5, 1907.

(House Bill No. 753.)

248.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW HAVEN CONCERNING A BUILDING INSPECTOR.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section fifty-seven of the charter of the city of New Haven is hereby amended by adding at the end thereof the following: "No person who has been or shall be appointed building inspector in

accordance with the provisions of this section shall be removed from such position except for sufficient cause duly shown, which cause shall not be political," so that said section as amended shall read as follows: It shall be the duty of the fire marshal to inspect from time to time the schoolhouses and other public buildings, and all buildings in which any public assemblies, exhibitions, entertainments or shows are held, for the purpose of ascertaining whether such buildings are in danger of damage or destruction from fire or unsafe construction, and whether the ordinances concerning means of exit from such buildings are obeyed. It shall also be his duty, whenever he may deem it necessary, to inspect any building in the city, with a view to ascertaining whether the ordinances relating to the construction, use, and condition of buildings are obeyed, and he shall perform all other duties in regard to the inspection of buildings, or issuing permits for the construction thereof, which may be required of him by the ordinances of the city. It shall be his duty to report all unsafe buildings and all violations of such ordinances to the mayor. The court of common council may make such orders as it may deem necessary for the alteration and improvement of such buildings; provided, that the court of common council may provide for an inspector of buildings, who, after said office is authorized, and the salary has been fixed by the court of common council, shall be appointed by the mayor, who, before making such appointment, shall cause to be filed with the city clerk for record a certificate of ability issued and signed by at least two of three competent New Haven architects designated by the mayor, which certificate shall be issued after such examination of the candidate for appointment as they consider necessary to determine his competency for the duties of said office. No person who has been or shall be appointed building inspector in accordance with the provisions of this section shall be removed from such position except for sufficient cause duly shown, which cause shall not be political.

Sec. 2. This act shall take effect from its passage.

Approved June 5, 1907.

(House Joint Resolution, Substitute for House Bill No. 431.)

297.

AUTHORIZING THE CITY OF NEW HAVEN TO ISSUE HOSPITAL BONDS.

Resolved by this Assembly:

Section 1. That the city of New Haven be and hereby is authorized and empowered to issue, under the corporate name and seal and upon the credit of said city, bonds or other certificates of debt to an amount not exceeding in the whole sixty thousand dollars, which bonds shall be denominated Hospital Bonds of the City of New Haven, the same, or

the avails thereof when sold, to be appropriated by said city to the erection and equipment of an hospital for contagious diseases except smallpox and typhus fever; the location of said hospital to be determined by the board of aldermen and approved by the board of health of said city of New Haven, and the erection, equipment, and administration thereof to be under the direction and control of the board of health of said city of New Haven.

Sec. 2. Said bonds may be issued in such sums and shall be prepared, signed, and authenticated in such manner as said city by its board of aldermen may determine; shall be made payable not more than twenty years from the date of their issue; shall bear interest at a rate not exceeding four per centum per annum, payable semi-annually; may be sold, from time to time, under the direction of the mayor and board of aldermen of said city; and when issued shall be obligatory upon the city of New Haven to all intents and purposes, and may be enforced and collected in the same manner and to the same extent that debts contracted by municipal corporations in this state are enforced.

Approved June 21, 1907.

(Substitute for Senate Bill No. 95.)

301.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW
CONCERNING THE DUTIES AND POWERS OF ITS OFFICERS
AND DEPARTMENTS, TICKET SPECULATION, ETC.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section fifty-three of the charter of the city of New Haven is hereby amended to read as follows: The department of police shall render such assistance in the care and management of public lamps as the court of common council may direct. The inspector of lamps in office May 8, 1907, shall continue in office until his successor is appointed and has duly qualified, unless sooner removed for cause in accordance with the provisions of this act. After due hearing and by written order, giving his reasons therefor, which reasons shall not be political, the mayor may remove the inspector of lamps and appoint his successor. The inspector of lamps shall perform such duties in the care and management of lamps, and in the care and management of street signs on the same, as shall be specified by the court of common council and approved by the mayor. He shall receive such salary for his services as may be fixed by the court of common council of said city.

Sec. 2. Section thirty-seven of said charter as amended by an act approved June 18, 1903, is hereby amended by striking out, in the thirteenth line of said section as amended, the word "forty" and inserting

in lieu thereof the word "three" and by striking out, commencing in the thirteenth line of said section as amended, the following: "and such fees to him and his assistants as the board of aldermen may by ordinance prescribe" and inserting in lieu thereof the following: "and neither he nor any of his assistants shall charge or receive for the performance of the duties imposed upon them by law or ordinance any other compensation than the salary, as aforesaid, of said sealer of weights and measures," so that said section as amended shall read as follows: The sealer of weights and measures of said city in office when this act takes effect shall continue in office until his successor is appointed and has duly qualified, unless sooner removed for cause in accordance with the provisions of this act. It shall be his duty, at least once in each year, to compare all scales, weights and measures with the United States standard weights and measures belonging to the city of New Haven. Said sealer of weights and measures may appoint, with the approval of the mayor, such number of assistants as he may think necessary in the discharge of his duties, and their acts shall have equal authority with his own. He may remove any of said assistants at pleasure. He shall perform all other duties required of him by the ordinances of the city. He shall receive as compensation for his services the salary provided in section three of this act and neither he nor any of his assistants shall charge or receive for the performance of the duties imposed upon them by law or ordinance any other compensation than the salary, as aforesaid, of said sealer of weights and measures. After due hearing and by written order, giving his reasons therefor, which reasons shall not be political, the mayor may remove the sealer of weights and measures and appoint his successor. When a vacancy shall exist in said office of the sealer of weights and measures, the mayor shall appoint a new sealer of weights and measures from among those persons certified as eligible to such positions by the civil service board and under the rules of said board.

Sec. 3. If, within thirty days after the passage of this act, the said sealer of weights and measures shall file with the city clerk of said city an affidavit stating that all fees charged from and after December 31, 1906, by him or by any of his assistants, have been remitted or released to the persons against whom they have been so charged, and that all payments made to him or to any of his assistants from and after December 31, 1906, for his and their services as sealer of weights and measures have been repaid and returned to the parties by whom such payments were made, excepting only the salary which he shall have received from the city of New Haven, and if said affidavit shall have been submitted to and approved by the board of finance of said city, the said sealer of weights and measures shall thereupon be entitled to receive from said city such sum as, together with the sums already paid to him, shall equal a payment at the rate of fifteen hundred dollars per year from and after December 31, 1906.

Sec. 4. Section one hundred and thirty-seven of said charter is hereby amended by adding to subdivision (p) of said section the following:

“to prohibit, license, or regulate the sale, in and upon the streets, parks, and public places of tickets or privileges of admission to all sports, exhibitions, public amusements, and performances, and to prohibit, anywhere within said city, speculation in the issue or sale of such tickets or privileges of admission.”

Sec. 5. Section three of an act establishing a paving commission in the city of New Haven, approved April 17, 1901, is hereby amended to read as follows: Said commission shall determine upon what streets or portions of streets permanent pavements shall be laid and at what time such pavements shall be laid; provided, however, that before determining upon what streets such pavements shall be laid it shall hold a public hearing or hearings, of which notice by publication shall be given at least five days before such hearing, in which notice shall be specified the street or streets upon which it is proposed to lay such pavements. Said commission shall give such notice and hold such hearing if at any time requested so to do by the court of common council, or by written petition of not less than fifteen persons owning or occupying property abutting upon any street or portion of a street upon which it is proposed that such pavement shall be laid.

Sec. 6. Section four of said act is hereby amended to read as follows: Said commission shall determine what kind of a permanent pavement shall be laid upon each of such streets and shall, in the manner prescribed by the city charter and ordinances, make contracts therefor, and do all things necessary to the proper construction of the same.

Sec. 7. Section seven of said act is hereby amended to read as follows: When any such pavement shall hereafter be laid by such commission, including pavements laid under the authority of an act approved July 1, 1895, or any other act, assessments for the expense thereof shall be made as is provided in the act concerning permanent pavements in the city of New Haven, approved April 28, 1899, and the amendments thereof.

Sec. 8. Section two of an act concerning permanent pavements in the city of New Haven, approved April 28, 1899, as amended by an act approved April 14, 1903, is hereby amended to read as follows: Benefits and damages shall be laid under the control of the court of common council and assessed by the bureau of compensation of the city, as provided in the charter of said city, for or against all owners of property abutting upon or adjoining the streets on which such pavements are constructed; which assessments for such benefits shall not exceed, per lineal foot of frontage, seventy-five cents for such pavement if it be of dimension granite block, sixty cents if bitulithic or of asphalt, fifty cents if a Hassam pavement or of vitrified brick, and twenty cents if of crushed stone; provided, however, that no assessment shall be laid unless the granite block, asphalt, Hassam, and vitrified brick pavement shall each have not less than four inches in thickness of concrete cement foundation.

Sec. 9. No person or corporation which shall, by authority of any license or permit, take up any portion of any pavement having a cement,

concrete, or stone foundation between the curb lines of any roadway in said city, shall refill any opening or excavation made in said roadway or restore such pavement, but the same shall be filled and restored by the director of public works, and the expense of refilling such opening or excavation, and of restoring such pavement, shall be paid to the collector of taxes by the person or corporation by whom such pavement was taken up or such excavation was made. Said city may by ordinance provide that any person or corporation shall, while indebted to the city for such expense, be prohibited from making any excavation or taking up any such pavement under any license or permit then outstanding or to be issued.

Sec. 10. It shall be the duty of the director of public works to make such repairs to permanent pavements laid by order of the paving commission as in his judgment are necessary, or as are ordered by said commission.

Sec. 11. All acts and parts of acts inconsistent herewith are hereby repealed.

Sec. 12. This act shall take effect from its passage.

Approved June 19, 1907.

(Senate Bill, Substitute for Senate Joint Resolution No. 172.)

396.

AN ACT CONCERNING THE CIVIL SERVICE BOARD OF THE CITY OF NEW HAVEN.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 122 of the charter of the city of New Haven is hereby amended to read as follows: The civil service board as at present organized shall continue until January, 1909, when, and biennially thereafter, said board shall elect from its members a president. It shall choose a secretary who shall be subject to a civil service examination before appointment and shall hold said position during good behavior, and may be removed for cause, which shall be nonpolitical, after due hearing upon written notice served on him ten days before the date of hearing. It shall be the duty of the secretary to attend all meetings of the board, keep correct records of the same, prepare and keep in the register on file in the office of the comptroller lists of those eligible for the several departments and clerical positions, send out official notices, and perform all other official duties. He shall receive such salary, not exceeding one thousand dollars per annum, as may be fixed by said board and approved by the board of finance.

Sec. 2. The secretary of said board in office upon the passage of this act shall continue in office until his successor is appointed and duly qualified, unless removed for cause in accordance with the provisions of this act.

Sec. 3. This act shall take effect from its passage.

Approved July 11, 1907.

(Substitute for House Bill No. 240.)

412.

AN ACT AMENDING THE CHARTER OF THE CITY OF NEW
HAVEN CONCERNING SALARIES.

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

Section 1. Section forty of the charter of the city of New Haven is hereby amended by striking out in the ninth line thereof the word "seven" and inserting in lieu thereof the word "fifteen" and by striking out, commencing in the fifteenth line thereof, the words "provided, that if the court of common council at any time, by an affirmative vote of two-thirds of all the members of each board, shall resolve that it is expedient to increase or decrease the salary of any city official to a certain specified sum, and if said resolve shall be adopted by the next court of common council in the succeeding year by a like vote, then said court may proceed to enact an ordinance increasing or decreasing said salary to the sum specified" and by inserting in lieu thereof the following: "provided, that the board of aldermen may, at any time, by an affirmative vote of two-thirds of all the members, duly approved by the mayor, increase or decrease to a certain specified sum the salary of any city officer, or any other town or city officer whose salary is specifically designated or limited in the charter of the city or any amendments thereof, which action shall be of force and effect when it shall have been approved by affirmative vote of a majority of all the members of the board of finance," so that said section as amended shall read as follows: The salary of each of the following-named officers shall be at the rate herein provided: The mayor, thirty-five hundred dollars per annum; the mayor's secretary, one thousand dollars per annum; the corporation counsel, thirty-five hundred dollars per annum; the assistant corporation counsel, one thousand dollars per annum; the controller, three thousand dollars per annum; the treasurer, one thousand dollars per annum; the collector four thousand dollars per annum; the city clerk, two thousand dollars per annum; the assistant city clerk, twelve hundred dollars per annum; the sealer of weights and measures, fifteen hundred dollars per annum; the city sheriff, twelve hundred dollars per annum. These and all other salaries paid by the city shall be payable in monthly instalments by the treasurer of said city, and shall be in lieu of any and all compensation for any services required by the city of said officers respectively by this act, except as the same may be herein otherwise specified; provided, that the board of aldermen may, at any time, by an affirmative vote of two-thirds of all the members, duly approved by the mayor, increase or decrease to a certain specified sum the salary of any city officer, or any other town or city officer whose salary is specifically designated or limited in the charter of the city or any amendments thereof, which action shall be of force and effect when it shall have been approved by affirmative vote of a majority of all the members of the board of finance.

Sec. 2. This act shall take effect from its passage.

Approved July 17, 1907.

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